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MEMOIRS

OF

THE COURT

OF

KING CHARLES THE FIRST.

By LUCY AIKIN.

IN TWO VOLUMES.

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OF THE

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THE instructions with which the marquis of Hamilton entered upon his commission, were drawn up by the king himself, and communicated to Laud alone of his English counsellors. Some of them deserve to be particularized. He was to read the royal declaration of which he was the bearer, to the council, previously to its publication, and, should he judge it expedient, to impose an oath on every councillor to give his best assistance in its execution. Any protestors against the declaration were to be reputed rebels, and he must endeavour to apprehend them. To any petitions for further satisfaction, he was to give "a bold negative," both in respect of the matter, and as coming from an unacknowledged body. No petition was to be admitted against the articles of Perth, though the exact execution of them was not at present to be pressed. "You shall declare, that if there be no sufficient strength within the kingdom to force the refractory to obedience, power shall come from England, and that myself will come in person with them, being resolved to hazard my life, rather than suffer authority to be contemned."....."If you cannot, by the means prescribed by us, bring back the refractory and seditious to due obedience, we do not only give you authority, but command all hostile acts whatsoever to be used against them, they having deserved

to be used no otherwise by us but as a rebellious people."

The declaration itself required that the covenant should be renounced within six weeks, on pain of rebellion; and stipulated that on this condition the king, who solemnly protested his averseness from popery and all superstition, would so regulate the high-commission that it should cease to be oppressive, and that he would no longer urge the canons and service-book except "in a fair and legal way."

At Berwick the commissioner was met by the earl of Roxburgh, by whom he was apprised of the enthusiasm of the people for their covenant, and the hopelessness of any attempt to bring them to accept the conditions laid down by the king. On his nearer approach the scanty appearance of nobility and gentry to receive and attend upon him, confirmed his apprehensions. He found the castle of Edinburgh guarded by the citizens to prevent the introduction of the supplies of ammunition which he had brought; and when he at length ventured to remove from the fortress of Dalkeith to take up his residence at Holyrood House, the covenanters appeared on his road in an array evidently calculated to overawe under the guise of doing him honor. Their numbers amounted to many thousands; and five hundred of their ministers, distinguished by the Geneva cloak, were seen conspicuously posted on an eminence, where they had appointed "the strongest in voice and austerest in countenance," of them all, "to make him a short

welcome:" but this he avoided[a]. On the first opening of the royal propositions it was openly declared that the Scottish people would as soon renounce their baptism as their covenant, to which they invited the commissioner himself to accede, and that nothing less would give satisfaction than the convocation first of a free general assembly, and afterwards of a parliament. Hamilton on this, wisely forbore to publish the declaration, and wrote to his master that one of two courses he must resolve upon; to grant them all their wishes, or to hasten down his fleet with troops on board; to garrison Berwick and Carlisle, and prepare to follow in person with a royal army. The answer of Charles was in these terms:

"I expect not anything can reduce that people to obedience but force only. In the mean time your care must be how to dissolve the multitude, and if it be possible, to possess yourself of my castles of Edinburgh and Stirling, which I do not expect; and to this end I give you leave to flatter them with what hopes you please, so you engage not me against my grounds, and in particular that you consent neither to the calling of parliament nor general assembly, until the covenant be disavowed and given up, your chief end being now to win time until I be ready to suppress them.

"But when I consider that now not only my crown, but my reputation for ever lies at stake, I

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[a] Baillie's *Letters*, i. 61.

must rather suffer the first, that time will help, than this last, which is irreparable. This I have written to no other end than to show you, I will rather die than yield to those impertinent and damnable demands, as you rightly call them: for it is all one as to yield to be no king in a very short time.....,"

"As the affairs are now, I do not expect that you should declare the adherers to the covenant traitors, until, as I have already said, you have heard from me that my fleet hath set sail for Scotland, though your six weeks should be elapsed.

"In a word, gain time by all the honest means you can, without forsaking your grounds[a]."

Hamilton obeyed; he negotiated, temporised, listened to the explanations by which the covenanters earnestly strove to reconcile their engagement with their loyalty, and, less blind to consequences than his master, pleaded with him to suspend his military preparations till matters were more desperate. But the king would only consent to stay his public preparations, resolving still to continue his more secret ones, that he might be ready on the slightest warning. For the rest he thus expressed himself:

"As concerning the explanation of their damnable covenant, whether it be with or without explanation, I have no more power in Scotland than as a duke of Venice, which I will rather die than suf-

[a] Rushworth, ii. 752.

fer: Yet I commend the giving ear to the explanation, or anything else to win time..... And for their calling a parliament or assembly without me, I should not much be sorry, for it would the more loudly declare them traitors, and the more justify my actions: Therefore in my mind my declaration would not be long delayed; but this is a bare opinion, and no command."

Hamilton now obtained the royal permission to return to court; partly to procrastinate, partly with the view of mediating between his king and his country. Before his departure he gave orders for the publication of the declaration; which, notwithstanding the omission of the command to abandon the covenant, was encountered by a protestation, as falling far short of the just demands of the people for the security of their religious rights. The commissioner returned with enlarged instructions: In lieu of the present covenant a confession of faith authorized by a parliament in 1567 was to be signed by all; and on certain conditions, favorable to the king's supremacy and the authority of bishops, an assembly was authorized to be held. But in the mean time the views of the covenanters had extended to further objects, and they had commanded all men to take the covenant on pain of excommunication, the king's confession of faith being refused and scouted. After further vain negotiations therefore which continued till late in August, the marquis pleaded the necessity of his proceeding again to court; and he was now the bearer

of articles of advice, signed by himself, Traquair, and two other ministers, in which various considerations, of law, of justice and of mercy, were strongly urged, to induce his majesty to recall those religious innovations which alone, without any spirit of disloyalty, had moved his subjects to their present courses; and forgiving the past to receive them again into favor.

On his second return, he brought with him, to the general surprise, a new proclamation by which canons, liturgy, articles of Perth and high-commission, were all abandoned; and a free assembly, emancipated, that is, from the control of the crown, was appointed to meet in November, and a parliament in the ensuing May. Such large concessions, earlier made, and believed to be made in good faith, might have sufficed, but they were now in vain. Besides the suspicions which their very amplitude was formed to excite, the chiefs of the covenanters were in correspondence probably with some of the popular leaders in England, and certainly with several of the Scotch councillors and attendants of the king, who betrayed his measures without scruple; and from these sources certain intelligence had been received, that he was secretly engaged in active preparations for war, whilst he sought to lull them into security by a false show of concession. The experience which they had gained during the protraction of the treaty, had likewise served to convince them, that without the total abolition of

episcopacy, no stipulations would suffice to secure the purity and stability of their church government under a prince so irreconcileably hostile to presbytery, so devoted to the cause of prelacy. For this object therefore they determined strenuously to contend; and the indications of a lurking duplicity amid the apparent yieldingness of the king, chiefly perceptible in his attempts to protract the negotiations, and in the mean time to sow divisions amongst his opponents, served to confirm them in their resolution.

The assembly met at Glasgow as convened; its composition exhibited a salutary return to the primitive composition of these assemblies, infringed upon by king James, in which an equal, or superior number of lay elders accompanied the clerical members; and on the ground of this innovation, as it was styled, the royal commissioner endeavoured, in the first instance, to excite jealousies between the laity and the clergy. This attempt was by express direction from his master; who, judging it safer to suffer the assembly to meet, instead of proroguing it, as the affrighted bishops had proposed, was at the same time internally resolved to render its session completely nugatory. "As for this general assembly," he had written to Hamilton, "though I can expect no good from it, yet I hope you may hinder much of the ill, first by putting divisions amongst them, concerning the legality of their elections, then by protesting against their tumultuary

proceedings." And again: "If you can break them by proving nullities in their procedure, nothing better[a]."

Several presbyteries had drawn up accusations against the bishops, in the bitterest spirit of party malignity, charging them, individually and collectively with almost every species of crime and vice, public and private, capable of disgracing human nature; and as the king had formally declared that all subjects were amenable to the authority of the assembly, and might be prosecuted before it, it was to be expected that proceedings against them would be the first business entered upon. But Charles himself had in secret revised and approved a declinature, or protest, in the name of the prelates, against the competency of this tribunal, which he caused to be presented by the commissioner, before the election of a moderator, as a bar to its future proceedings. The assembly refused in this stage of the business to take notice of the protest, and calmly proceeded to choose a moderator and install its members. Afterwards, the question being again urged by the court-party, and a vote upon it demanded, the commissioner seized the concerted occasion to dissolve the assembly, as a body chosen by laymen, and incompetent therefore to sit in judgement upon bishops.

This chicane served no other purpose than to expose to contempt the authority of its contriver.

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[a] Burnet's *Mem. of the Hamiltons*, 82, 88.

Strong in the common zeal and mutual reliance of its members, supported by some early precedents, and encouraged by the open accession of that able leader the earl of Argyle, the assembly refused to be dissolved except by its own consent. It then proceeded to annul as corrupt all the acts of the six assemblies held in the former and present reigns; to cancel in form all the late innovations; and, renouncing totally the regal supremacy, to restore the presbyterian discipline in all its rigor, and abolish episcopacy. Of the ex-bishops, most of whom had rendered themselves justly obnoxious to public resentment, eight were excommunicated and four deposed, as heretical and impenitent; the remaining two, who submitted themselves, were simply suspended from their functions. Having thus victori ously accomplished the great work of the restoration of the primitive reformed church of Scotland, the assembly closed its memorable session on the thirtieth day.

It was in the midst of this awful revolution, that we find Hamilton addressing the following affectionate but desponding representations to a master whom nothing could admonish, nothing deter, from the headlong course of misgovernment into which he had thrown himself.

"When I consider the many, great, and most extraordinary favors which your majesty hath been pleased to confer upon me; if you were not my sovereign, gratitude would oblige me to labor faithfully, and that to the uttermost of my power, to

manifest my thankfulness. Yet so unfortunate have I been in this unlucky country, that though I did prefer your service before all worldly considerations, nay, even strained my conscience in some points by subscribing the negative confession, yet all hath been to small purpose; for I have missed my end, in not being able to make your majesty so considerable a party as will be able to crush the insolency of this rebellious nation, without assistance from England, and greater charge to your majesty than this miserable country is worth.

"As I shall answer to God at the last day, I have done my best, though the success has proven so bad, as I think myself of all men most miserable, in finding that I have been so useless a servant to him to whom I owe so much. And seeing this may perhaps be the last letter that ever I shall have the happiness to write to your majesty, I shall therefore in it discharge my duty so far as freely to express my thoughts in such things as I do conceive concerneth your service.....

"Upon the whole matter, your majesty hath been grossly abused by my lords of the clergy, by bringing in those things in this church, not in the ordinary and legal way. For the truth is, this action of theirs is not justifiable by the laws of this kingdom. Their pride was great, but their folly greater; for if they had gone right about this work, nothing was more easy than to have effected what was aimed at."

After a careful and very discouraging enumera-

tion of the leading characters in the country, marking their deficiency, generally speaking, either of ability or inclination for the service of the crown, the writer proceeds to point out the means to be employed against the people, "to make them miserable, and to bring them again to a dutiful obedience." To cut off their trade by a few ships of war, he imagines would prove sufficient; but this, he adds, "will certainly so irritate them, as all who within this country stand for your majesty, will be in great and imminent danger." Yet for himself he promises that should he "keep his life" and continue to be thought worthy of serving his majesty as his commissioner, though he hates the country "next hell," he will continue in it "till the government be again set right," and then forswear it. He concludes as one in the hourly prospect of death, with a suit that his sons "may be bred in England, and made happy by service in the court," that his daughters be "never married in Scotland," and that his brother may enjoy the royal favor[a].

The sanguine temper of Charles received no check from the gloomy forebodings of his commissioner; he believed undoubtingly in the justice of his cause, he trusted that the time was now come to crush effectually the spirit of disobedience with which he had hitherto submitted to temporise; and throwing aside all disguise, he applied himself with the alacrity of anticipated vengeance to the completion

[a] *Hardwick State Papers*, ii. 113.

of his preparations for that most awful of extremities,—a civil war. How far his passions on this occasion blinded him to the real state of his affairs, may be judged by the following report of them made in January 1639 by the earl of Northumberland to the lord-deputy of Ireland.... "The nominating of the commanders and the directions that have been given for the ordering and disposing of the martial preparations, have here made a very great noise. But I assure your lordship, to my understanding, with sorrow I speak it, we are altogether in as ill a posture to invade others, or to defend ourselves, as we were a twelvemonth since, which is more than any man can imagine that is not an eyewitness of it. The discontents here at home do rather increase than lessen, there being no course taken to give any kind of satisfaction. The king's coffers were never emptier than at this time, and to us that have the honor to be near about him, no way is yet known, how he will find means either to maintain or begin a war without the help of his people..... In a word, I fear the ways we run will not prevent the evils that threaten us[a]."

Cottington had previously expressed himself to the same correspondent in still stronger terms.

"..... We are almost certain it will come to a war, and that a defensive one on our side, and how we shall defend ourselves without money, is not under my cap. My lord, assure yourself they do

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[a] *Strafford Letters*, ii. 267.

believe they shall make a conquest of us, and that an easy one; they speak loud, yea even they that are here, and do despise us beyond measure. No course is taken for levying of money, the king will not hear of a parliament, and he is told by a committee of learned men that there is no other way[a]."

In default of this only legal mode of raising the supplies of war, expedients of the most unconstitutional character were of necessity recurred to. On the plea of its being a religious war, the archbishops were required to use their influence, or authority, in procuring a liberal supply from their clergy. A contribution, not altogether voluntary, was obtained from the great officers of state, the nobility and the higher gentry, and an actual assessment was made on the judges and other legal functionaries in proportion to their salaries. What was still more offensive, the queen was allowed to take upon her to address to sir Kenelm Digby and Walter Montague, her chosen agents, a kind of official letter, headed "Henrietta Maria R." and assuming the imperial "We," in which, after expressing her confidence that on this occasion, which "called his majesty into the Northern parts for the defence of his honor and dominions," his catholic subjects would be willing by "some considerable sum of money freely and cheerfully presented," to evince their gratitude to his majesty through her, who had been "so often interested in the solicitation of their benefits;" she

[a] *Strafford Letters*, ii. 246.

adds: "We have thought fit, to the end that this our desire may be the more public and the more authorized, hereby to give you commission and direction, to distribute copies under your hand of this testification thereof, unto those that have met in London by our direction about this business, and unto the several collectors of every county." And she goes on to assure all such as shall employ themselves in forwarding this business, of her protection against any prejudice or inconvenience which might be apprehended on this account[a]. In other words, she promised to secure them against the consequences of a transaction utterly illegal.

Thus authorized, the Roman catholics openly summoned a meeting in London, at which the papal nuncio presided, for the purpose of recommending the subscription to all persons of their religion, whether priests or laity, throughout the kingdom. By these means a very moderate pecuniary aid was obtained for the king, at the expense of aggravating exceedingly the popular odium of which the queen and her church were already the chosen objects, and even of throwing suspicion on Charles himself.

The forward zeal of this sect in raising both money and men, and otherwise expressing their attachment to the royal cause, likewise drew upon them a check, which they had certainly not anticipated, from the pope himself, who addressed his nuncio on the subject in these terms.

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[a] Rushworth, ii. 820.

"You are to command the catholics of England in general that they suddenly desist from making such offers of men towards this Northern expedition as we hear they have done, little to the advantage of their discretion: and likewise it is requisite, considering the penalty already imposed, that they be not too forward with money, more than what law and duty enjoins them to pay..... Declare unto the best of the peers and gentlemen, by word of mouth or letter, that they ought not to express any averseness, in case the high court of parliament be called; nor show any discontent at the acts which do not point-blank aim at religion.....

"Advise the clergy to desist from that foolish, nay rather illiterate and childish custom of distinction in the protestant and puritan doctrine. And especially this error is so much the greater when they attempt to prove that protestantism is a degree nearer the catholic faith than the other; for since both of them be without the verge of the church, it is needless hypocrisy to speak of it; yea, it begets more malice than its worth[a]."

It is evident, that the pope was now undeceived as to the hope which had long flattered him, of the return of England within the pale of the catholic church, and exasperated by the disappointment. The hand of Richelieu may also be suspected in the business. The captious terms on which the courts of France and England had stood for years

[a] Rushworth, ii. 821.

with respect to one another, had been lately converted, on the part of France, into sentiments of positive enmity, by the refusal of Charles to concur in a scheme concerted between cardinal Richelieu and the Dutch for the seizure of the Spanish Netherlands. From this period, as we may have many occasions to observe, this able and vindictive minister let slip no occasion of embroiling still more the perplexed affairs of the British monarch. To Spain alone, of all the continental powers, Charles looked with some hope of succour in the fatal contest which his rashness had provoked. Through the agency of colonel Gage, a catholic and a soldier of fortune, he entered into a negotiation with the Archduke at Brussels, to supply him with a veteran force of 6000 foot and 4000 horse, in return for permission to raise a certain number of men annually in Ireland to recruit the Spanish armies. But neither did there exist in the court of Madrid any sincere desire to assist him. Former instances of bad faith were not forgotten, and on the plea of some defeats sustained by the Archduke which rendered it unadvisable for him to part with so large a portion of his army, the treaty was broken off: not, it is probable, to the detriment of Charles, whom no strength to be derived from the arms of foreign and popish mercenaries could easily have compensated for the total forfeiture of the affections both of his Scottish and English subjects which he could not have failed to incur by their employment. By a still greater instance of good fortune, the whole transaction re-

mained a profound secret from that party who would not have failed to make use of the information to his disgrace and ruin[a].

Flattering himself that his pecuniary resources might now prove equal to the cost of a single, and, as he hoped, a brief campaign, it was the next care of Charles to provide himself with an army, of which he was as yet totally destitute; and for this purpose also it was necessary, in default of parliamentary aid, to recur to extraordinary and unauthorized methods. The militia of the different counties, though not compellable by law to go on foreign service, were ordered to put themselves in training. Private persons were arbitrarily commanded by an order of council to supply men and arms in a stated proportion to their rent-roll or income; and the lord-keeper issued out summonses to all peers of the realm to wait upon their sovereign in the city of York, each attended by his band of armed followers.

The charge of general of the future army was bestowed on the earl of Arundel; a compliment regarded perhaps as due to his birth and rank, for he had seen no service. The earl of Essex had in the first instance been appointed master of the horse, but through the interest of the queen and the marquis of Hamilton, he was superseded by the earl of Holland, to his great and just displeasure, and the post of lieutenant-general assigned him instead.

[a] It was not known even to History till the comparatively recent publication of the Clarendon Papers.

Amongst the other munitions of war, declarations and proclamations were largely provided, in which the Scotch were pronounced rebels, and accused of a design to separate the two crowns, and to invade and put to ransom the Northern counties of England. Little effect was produced by these appeals to the English people. A wide-spread discontent with the whole theory and practice of the government of Charles, had rendered men of every class generally indisposed to his cause, whilst the entire puritan party, willingly postponing the national animosities of other days to the tie of a common faith and common cause, beheld in the champions of the covenant no longer enemies or depredators, but brethren and allies.

The covenanters, meanwhile, although they continued to make solemn professions of their loyalty and pacific intentions, were beginning to strain every nerve in preparation for the struggle which they now perceived to be inevitable. The first circumstance which assured them of the determined hostility of their sovereign was the imposition of an oath upon all of their nation at court, by which both the late assembly and the covenant were renounced, and aid was promised to the king, whenever required, against the maintainers of them: A step which was speedily followed up by the summons to the English nobility to assemble at York, and by a commission conveyed to the marquis of Huntley in the North of Scotland to act as his majesty's lieutenant in those parts, with ample powers. To dis-

perse through England, by means of the Scotch pedlars who were accustomed to traverse the country in every direction, a brief declaration to clear themselves of "all slanders," and especially of the imputed design of throwing off their allegiance and invading the country, was the first care of the insurgents. Their next was, to clear to their own minds the justice of their cause, of which many, both among the clergy and nobility, were at first more than doubtful; having imbibed from Arminian and episcopalian divines, "that slavish tenet," to use the language of one of themselves, "that all resistance to the supreme magistrate in any case was simply unlawful[a]." A short examination served to emancipate the leaders of opinion from all scruple on this head; and both the press and the pulpit were made to re-echo the more popular and acceptable doctrine of resistance. The religious obligation to passive obedience, seemed indeed to vanish into thin air where religion itself was the object at stake; and with respect to the duty of civil allegiance, the example of the Dutch, between whom and the Scottish people a strict bond of alliance had long subsisted, gave authority to the maxim, that resistance to a sovereign who should attempt to coerce his subjects of one country by an armed force collected from other countries under his dominion, is rather to be esteemed a war of lawful defence against foreign invasion, than rebellion to the just authority

[a] Baillie's *Letters*, i. 152.

of a native prince. Orders were now transmitted from the supreme committee at Edinburgh, and obeyed with enthusiasm, for a general training of the men of military age throughout the country. Arms and ammunition were clandestinely supplied by the Scotch merchants settled in Holland, and officers who had served with reputation either in the army of the States, or under the victorious banner of Gustavus Adolphus, hastened to bring to the cause of their country the succour and encouragement of their approved skill and valor. Alexander Lesley, the most distinguished of these, had quitted Sweden on the invitation of the earl of Rothes, one of the principal of the covenanting lords, to take the chief command. To raise the necessary supplies of money was apparently a matter of greater difficulty; the ostensible resources of the party consisted solely of some small loans advanced by the merchants of Edinburgh, and of the family plate which certain patriotic noblemen had sent in to the mint.

Next to that which they placed on their own efforts, the great reliance of the covenanters was on the cooperation of the popular party in England, and they were neither remiss nor unskilful in their efforts to secure it. "Their remonstrances, declarations and pamphlets," says Whitelock, "were dispersed, and their emissaries and agents insinuated into the company of all who were any way discontented, or galled at the proceedings of the state of England. The gentlemen who had been imprisoned

for the loan, or distrained for ship-money, or otherwise disobliged, had applications made to them from the covenanters, and secretly favored and assisted their designs, and so did many others, especially those inclined to the presbyterian government; or whom the public proceedings had any wise distasted[a]."

The narrow and exclusive spirit of presbyterianism conspired, happily in this instance, with wiser and worthier motives, to preserve them from the pollution and the snare of foreign auxiliaries intruded upon a national quarrel.

"We were hopeful of powerful assistance from abroad," says Baillie, "if we would have required it. France would not have failed to embrace our protection. Holland and we were but one in our cause. They had been much irritated lately by the king's assistance of the Spaniard. Denmark was not satisfied with many of our prince's proceedings, and was much behind with the crown of Britain since his war with the Emperor. Sweden was fully ours, to have granted us all the help they could spare from Germany. But we resolved to make no use of any friendship abroad till our case was more desperate than we yet took it. We still hoped to bring off our prince by fair means, which had not been so easy if we had once brought foreign forces within the isle. We were hopeful, by the assistance of God, to make our party good by ourselves alone.

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[a] *Memorials*, p. 30.

The assistance of Lutherans, let be of papists, at this time, was to our divines a leaning to the rotten reed of Egypt; besides our poverty to give pay to a few strangers, and our old doleful experience of their intolerable insolency where they came to fight on their own charges. Above all, a league with foreigners had made England of necessity our party [adversary], the evil in the world we most declined, and our adversaries did most aim at[a]."

But whilst such were the sentiments of the divines, and the more zealous and single-hearted among the laity, the covenanting lords, with whom secular considerations had all along borne sway, showed themselves less scrupulous. They did not indeed venture upon the introduction of foreign troops, but they consented to confer with Chambers, a Scotch priest, nephew to Con the papal nuncio, and almoner to cardinal Richelieu, who was twice sent by his patron to inquire into the causes of the discontents in his native country and to add fuel to the flame, and through his agency entered into a secret agreement in virtue of which the French minister procured the release of a large quantity of arms embargoed in Holland, and placed at the disposal of general Lesley a sum of 100,000 crowns.

It might have appeared less inconsistent with the professions which the covenanters had not yet desisted from making, to have suffered the first act of

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[a] Baillie's *Letters*, i. 153.

hostility to proceed from the king, and thus to have given to their arms the plea of self-defence; but it was not the temper of the men to forgo a solid and important advantage, for what they perhaps regarded as a vain punctilio, and no sooner was the royal army embodied at York, than by a simultaneous and preconcerted movement, the king's castles in Scotland were all assailed, and with the exception of Caerlavrock, every one either by surprise or treachery fell into their hands. In expectation of the attack of an English fleet under the command of the marquis of Hamilton, the port of Leith was about the same time fortified by the hands of the whole population of the capital, noblemen and gentlemen laboring as volunteers upon the ramparts, and even ladies of the highest ranks, in a wild transport of religious or patriotic enthusiasm, mingling with the throng and lending their personal assistance in the conveyance of sand and rubbish.

It was on March 27th, 1639, that the king set forth for York. His nobles had punctually obeyed his summons, and the march of his numerous and splendid host more resembled a triumphal progress than a military expedition.. It was doubtless his expectation that the majesty alone of such an appearance would serve to awe the Scotch into submission, without an appeal to military force, in which his superiority was more than questionable. But disappointment awaited him from causes of which he

had made no calculation. Such had been the rapid though silent progress of disaffection during those years in which the deluded prince imagined himself to have been establishing on a firm basis the absolute and independent authority of the crown, that it had become no less hazardous to draw together his nobility and gentry on a march, or in his court, than to assemble them in parliament. No sooner had they met, than leading men began freely to communicate their discontents to one another; factions were formed, opposition became organized, and before long a favorable occasion was offered for the general sentiment to manifest itself.

The court was full of Scotch; some of them officers of the royal household, others, men of rank and consequence in their country, who had waited upon his majesty partly in token of their own fidelity, partly with the view of promoting an accommodation. The loyalty of these persons, amid the general defection of their nation, seemed to be exposed to reasonable suspicion; there were individuals also amongst the English of whom Charles felt himself not more assured, and he determined, before he should proceed further on his march, to bring them to a test. For this purpose, by a policy at once feeble and tyrannical, he promulgated a military oath, to be taken by all peers and persons of eminence, which, in addition to the usual declaration of allegiance, contained an obligation to oppose, to the utmost hazard of life and fortune, all seditions, rebellions and conspiracies, especially

such as should "come veiled under pretence of religion."

The Scots, as lord Clarendon bitterly expresses himself, "took it to a man, without grieving their conscience or mending their manners." But two English noblemen, the lords Say and Brook, positively refused, in the king's presence, to enter into the engagement required. "They said, if the king suspected their loyalty, he might proceed against them as he thought fit; but that it was against the law to impose any oath or protestation upon them which were not enjoined by the law; and in that respect, that they might not betray the common liberty, they would not submit to it[a]." They also observed, that they were willing to attend his majesty, but that he could not command their attendance out of the kingdom, and said that they were not sufficiently acquainted with the laws of Scotland to judge of the justice of the cause. Charles placed the two peers under arrest, and was much disposed to have made an example of them; but finding to his mortification, on consulting the crown lawyers, that their resistance to his will was perfectly legal, he liberated them after a few days, requiring them to return to their own houses. The example of these spirited noblemen had the effect of making others append an explanation to their oaths; and such was the tenor of the discourse to which it gave occasion, that the test was laid aside.

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[a] *Hist. Rebellion*, i. 207.

The earl of Essex was now sent forward to occupy Berwick, and Charles himself, in the midst of the audible wishes of his courtiers "that the business were brought to a fair treaty," marched with expedition to the border, and encamped with his army under shelter of that fortress. On information of the approach of the covenanters, the earl of Holland was detached with a body of 3000 horse, 2000 foot, and a train of artillery; and at the head of his horse, which had outstripped the rest, he came up with them at a place called Dunse, ten or twelve miles within the Scottish boundary. Lesley had skilfully posted his men on a hill-side, where their numbers showed to advantage, and the English commander was so much daunted at the sight, that without waiting for the junction of his own party, far less the reinforcements or further orders of his majesty, he sounded a retreat, and sought again the shelter of the camp.

Flattered to find themselves so formidable, the covenanters now entered into an open correspondence with several English peers, and in particular addressed letters to the three commanders, Arundel, Essex, and Holland, desiring that through their interposition and favorable representation, some of their number might be admitted to a personal treaty with their sovereign. Essex, in whom punctilious honor was a leading feature, received the communication and its bearers with haughtiness, and without making any answer, immediately transmitted it to the king. Arundel and Holland, on the con-

trary, entertained no scruple of assuring the Scotch of their hearty desire of the restoration of peace, and seem to have promised their mediation.

At this period, the evident coldness of the English of every class in his quarrel, seems to have struck the mind of Charles with sudden and deep dismay. The report of Hamilton, who had returned to the presence of his master, leaving his fleet quietly at anchor in the Firth of Forth, on the shores of which he had not judged it expedient to attempt a landing, would doubtless be unfavorable to the prosecution of the war, and after a short demur, a safe-conduct was issued for four of the covenanting chiefs to meet six English commissioners in the tent of the lord-general, and arrange the terms of a pacification.

Scarcely were these parties assembled at the appointed place, when the king himself, to the astonishment of the Scotch, entered, and took the business into his own hands. He announced, that he had taken this step in order to disprove the "notorious slanders" laid upon him of shutting his ears to the just complaints of his native subjects; and assuming a high and reproving tone, told them, that as he was sure they could never justify all their actions, their best way would be to take his word and submit themselves to his award. The commissioners were awe-struck; their defence of the principles of their party was far from vigorous, and their protestations of loyalty became fervent. They demanded however the ratification of the acts

of the late assembly, and the future government of the kingdom by assemblies and parliaments to be convened at stated times: but to the first of these articles the king steadily refused his assent.

This obstacle was however by some means or other surmounted, and after a short negotiation, the armistice, for it proved no more, was concluded about the middle of June. In virtue of this agreement, both armies were disbanded, the royal fleet recalled, the Scotch castles given up to the king, and prisoners and property restored on both sides. Charles ratified his late concessions respecting religion, but went no further; all the matters in dispute which had caused the resort to arms being referred over, by mutual consent, to the decision of the assembly and the parliament shortly to be holden, at which his majesty declared it his intention to preside in person.

No sooner were these articles made known, than great discontent was manifested in the Scotch army at an agreement which nullified the assembly of Glasgow, and included no final renunciation of episcopacy. On the other hand, the three principal advisers of the king, Hamilton, Laud and Wentworth, were unanimous in vehement condemnation of a treaty which left rebellion unpunished, the royal authority unasserted, and in fact the whole dispute to be arbitrated afresh, and probably by a new appeal to the sword. To the politic chiefs of the covenant, however, the measure came recommended by many conveniences, if it were not dic-

tated by necessity, and to the king, even a short breathing time was welcome. Harassed, perplexed, unable to prevail upon himself to yield on points involving the most cherished maxims of his own and his father's policy, points to him of pride, of feeling, and even of conscience,—yet utterly barren of resources to supply the deficiencies, or surmount the difficulties by which he saw himself surrounded, he willingly deferred the evil day of open contest, flattering himself in the mean time with the futile hope of gaining his ends by those arts of intrigue and duplicity with which early practice had rendered him familiar.

A few miscellaneous notices of things and persons may serve to occupy this interval of public tranquillity.

England had perhaps never possessed a sovereign so much disposed as Charles to the encouragement of learning and the arts. The civil dissensions of his reign cut short many fair designs for the advancement and embellishment of social life, and deprived many eminent scholars and distinguished artists of their most munificent patron and best friend. A lively impulse had however been given both to taste and learning; and notwithstanding the temporary check which they sustained, no ground was absolutely or permanently lost. Manners had been refined and civilized; the nobler springs of thought and action had been touched, and a race of men had been formed, who carried into civil war itself habits and principles which powerfully re-

strained its license, and almost totally deprived it of the ferocity which in all other ages and countries had formed its leading characteristic.

Early in the reign, the house of lords had appointed a committee, of which the duke of Buckingham was a member, to inquire into the state of the public schools, and the method of education pursued in them. From this investigation seems to have sprung an academy established in London under the title of Musæum Minervæ, by the royal patent granted to sir Francis Kynaston, or Kingston, an esquire of the body, who was appointed its regent. In conformity with the spirit of the age, none were to be admitted as students but such as could prove themselves gentlemen by birth. Many professors were appointed, and their courses embraced philosophy, geometry, astronomy, medicine, music, languages, painting, architecture, riding, fortification, antiquities, and the study of medals. A library, a museum, philosophical apparatus, and a collection of paintings, statues, and antiques, were attached to the college. Owing to the state of the king's affairs, the design was never carried into full effect. About the period of Charles's death, that noted projector sir Balthazar Gerbier, made an effort however either to revive this scheme or establish something similar; but he appears to have undertaken to instruct in all branches himself. His lectures "On the art of well-speaking," attracted the sarcastic notice of Butler. One of them was announced as "designed for the ladies and honora-

ble women of this nation:" The first instance probably in this country, of a popular lecture addressed to females. This academy degenerated into a debating society, and soon after expired.

It was in 1633 that the novel tenets of the celebrated French philosopher Descartes, then resident in Holland, were first promulgated. On the continent they were ardently espoused by many of the learned, but were viewed by theologians with an indignation and alarm which prompted some base attempts to draw upon him the animadversion of the civil power. In England his philosophy obtained credit amongst the most enlightened judges, and sir Charles Cavendish, brother to the earl of Newcastle, concerning whom it is Clarendon's testimony that he was "a man of the noblest and largest mind that lived," gave him an invitation to the country, which was seconded by the offer of a liberal appointment on the part of the king. Descartes was well disposed to listen to a proposal so honorable to all concerned; but before it could be carried into effect, the country had become a prey to the calamities of civil war.

Since Bacon, no native inquirer had as yet asserted a claim to the title of a philosopher: Hobbes alone was beginning to solicit the opinions of the learned on some portions of that singular system with which he afterwards perplexed the world. This remarkable person, born at Malmsbury in the year 1588, had in early life attended upon lord Bacon in the capacity of an amanuensis, or literary

assistant, and had afterwards been employed by him in rendering into Latin a portion of his philosophical works. The superior promptitude and acuteness with which he seized the import of the imperfect hints and memoranda which were often assigned to him to follow up or to methodize, quickly attracted the favorable notice of his illustrious patron; and although the peculiar system of Hobbes, whether in metaphysics or in politics, can be traced to no further source than the promptings of his own acute and original mind, there can be little doubt that it was in the school of the great founder of experimental philosophy, that he gained courage to emancipate himself from the trammels of authority, and to seek truth by the exertion of his own powers of observation and reasoning, rather than in the writings of his predecessors.

Hobbes was tutor to the second earl of Devonshire of the name of Cavendish, who died in 1628, and afterwards to his son and successor, under whose roof he found a home to the end of a life unusually protracted. This connexion was the means of introducing him to the society of the most eminent men of his age in rank, learning and character, as well in France and Italy as at home, and he was widely known and esteemed for talents and for moral worth, long before he appeared as an author.

Viewing with equal dislike and dread the spirit of resistance to regal authority exhibited by the early parliaments of Charles's reign, he published

in 1629 a translation of the History of Thucydides, vainly hoping that it might act as a warning against the evils of democracy. In 1634 he attended his younger pupil in a tour on the continent. At Pisa, he, like Milton, sought out Galileo, then recently liberated from the prisons of the Inquisition; but owing to a constitutional cowardice which he confessed and lamented in himself, he derived nothing more than a caution not to endanger himself by committing anything to writing in that country, from a sight which, as we have seen, inspired into the generous and intrepid bosom of his illustrious compatriot, the spirit of perpetual hostility to tyranny in all its forms and modifications.

Hobbes returned from his travels with the matter of three separate works ready arranged in his mind; on metaphysics, on morals, and on politics, which he designed to produce in that order; but the state of the country then, as he expresses it, "boiling hot with questions concerning the rights of dominion and the obedience due from subjects, the true forerunners of civil wars," impelled him first to give utterance to his notions on government, in a small tract, which, however, he would venture no further than to circulate pretty widely in manuscript. It was the object of this piece to show, that many branches of prerogative which the house of commons had declared incompatible with English law, were by nature inseparably annexed to the very idea of sovereignty. It is asserted that, but for the dissolution of parliament in April 1640, the

promulgation of this doctrine was likely to have exposed even the life of the author to danger; and on the meeting of the long parliament he judged it expedient to fly his country. At Paris, which was long his place of refuge, he pursued his plans of study, and produced to the world those extraordinary works some of which have recommended him to the lovers of philosophy, and others to the champions of arbitrary power.

It was during this interval, when the zeal for philosophical inquiry which had been awakened was not yet guided by true judgement or sound knowledge, that the fabled society of the Rosicrucians—into the pretensions of which, mystical and even absurd as was the account given of them, Descartes himself had not disdained to examine—served to supply a name, if nothing more, to a crowd of enthusiasts or deceivers, who were able to pass themselves upon more than the vulgar for the depositories of high and awful sciences. The head of this very equivocal sect in England was Dr. Robert Fludd, who died in 1637. It was apparently during his travels on the continent, in several countries of which, but especially in its native Germany, the Rosicrucian imposture was much more successful than in England, that Fludd imbibed its spirit, or its language. On his return, becoming a fellow of the college of physicians, he commenced practice in London, where "his enthusiastic piety, and the apparent profundity of his scientific knowledge veiled under a mysterious jargon, inspired much admira-

tion, and raised him to temporary fame." He also became an exceedingly voluminous author, in physics and metaphysics. "Compounding into one mass all the incomprehensible dreams of the Cabalists and Paracelsians, he formed a new physical system, of wonderful mystery and absurdity. He imagined two universal principles, the northern, or condensing power, and the southern, or rarefying. Over these he placed innumerable intelligences, or geniuses, and he called together troops of spirits from the four winds, to whom he committed the charge of diseases[a]." It is worthy of remark, that notwithstanding the utter futility and baselessness of his notions, the respect supposed to be due to gravity and the show of learning, obtained for Fludd the notice of several of the most distinguished votaries of true science; Kepler, Mersenne, and Gassendi, all honored him with refutations.

The fund of credulity and ignorance still subsisting with respect both to the objects and the means of science, was further manifested by the prevalence of the delusions of judicial astrology. From the life of himself written by William Lilly, the most noted of the fortune-tellers and almanac-makers of his day, we learn some curious facts with relation to this subject. Questions on all the subjects most important to human interests and passions; questions of love, of sickness, of worldly success and advancement, and, what Lilly mentions with

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[a] *General Biography.*

reluctance as "the only reproach of the art," of theft, were professedly resolved by these adepts. Their modes of operating were various, but mostly founded upon the pretended calculation of nativities; some of them employed an accomplice under the name of a speculator, who professed to behold reflected in a globe of crystal, as in a mirror, figures of absent persons, and representations of future events. The more daring of the class undertook to call up spirits, or angels, whom they summoned by name with suffumigations and various mystic rites. According to Lilly, it was usually by types and figures, or by means of a kind of phantasmagoria, that their answers were given. "It is very rare," he says, "yea even in our days, for any operator or master to have the angels speak articulately; when they do speak, it is like the Irish, much in the throat." Another art professed by the same persons was the discovery of hidden treasure by the Mosaical rods. They were often alchemists, chemical experimenters, and medical empirics; some of them supported themselves by the manufacture of antimonial cups, and they had some share in the merit of the introduction of mineral remedies. Notwithstanding the received doctrine that the spirits who presided over the occult branches of science would impart their secrets to none but the devout and the pure in life, the dissoluteness of the whole crew was not less notorious than their poverty. In private life they filled all the parts of those whom

the French style, "chevaliers d'industrie," and there was no kind of service too infamous or too dishonest to be undertaken by them for hire.

On occasion they would perform the office of spies; during the civil wars they dipped deeply in political intrigue, and rendered their predictions subservient to the purposes of the different sects and parties. It may give some idea of the importance attached to these deluders and their arts, to mention that Kenelm Digby attended upon the incantations of one of them in the hope of seeing an apparition raised; that judge Holborn had his nativity cast; that Lilly was employed to prognosticate in a sickness of Bulstrode Whitelock's; and that he and another adept used the divining rods to search for buried treasure in Westminster Abbey under the sanction of the dean—bishop Williams; also, that if we are to believe him, he was consulted in more than one critical juncture of the king's affairs; and especially, by a lady, on the choice of a fortunate hour for his majesty's escape from Carisbrook castle.

Lilly is understood to be the original from whom Butler drew his Sidrophel, who is styled a "learned Rosicrucian." The name was for some time longer appropriated by professors of the occult sciences. Anthony Wood makes mention of attending at Oxford the lectures of Peter Sthael, a German, "a noted chemist and Rosicrucian," who had been brought thither by the honorable Robert Boyle in 1659; and the system must have been at least

fresh in remembrance when Pope founded upon it the enchanting machinery of the Rape of the Lock[a].

Ben Jonson closed in 1638 a life which the decay of his mental powers had for some years rendered burdensome to himself and others. Through the favor of the queen, sir William Davenant succeeded him as laureate. This poet, a person of some note in the political as well as the literary history of the times, was born in 1605, the son of an innkeeper at Oxford, unless there were truth in the whisper of scandal, which assigned him Shakespeare for a father; to whose memory he composed an ode at the age of ten. After completing his school education he entered upon a court life in the capacity of page to Frances duchess of Richmond, and afterwards made a part of the household of that eminent patron and cultivator of letters, Fulk Greville lord Brook. On the extinction of his prospects in this quarter by the assassination of this nobleman, in 1629, Davenant turned his talents to

[a] Wood enumerates amongst the hearers of Sthael, besides other persons of name, chiefly divines, "John Locke, afterwards a noted writer;" adding, "This John Locke was a man of a turbulent spirit, clamorous and never contented. The club wrote and took notes from the mouth of their master, who sat at the upper end of a table, but the said J. Locke scorned to do it; so that while every man besides of the club were writing, he would be prating and troublesome." We may infer the estimation in which the adept was held by the philosopher. This Rosicrucian, Wood further characterizes as "a Lutheran, a great hater of women, and a very useful man."

the drama, and composed in rapid succession for the amusement of the court, a number of plays and masques, which found such acceptance as to enable him, by their fame and their profits, to figure amongst the chief wits and gallants of the time. A princess in any degree more delicate than Henrietta must have shrunk with loathing from affording her patronage to a man whose licentious conduct had become matter of such very peculiar notoriety. The award of the laurel to Davenant gave deep offence to May, the learned and able continuator of Lucan, and is said by his political opponents to have been the motive of his joining the popular party, but probably untruly. The ardent disciple of the Roman poet of liberty, was little likely to be found enlisted under the banners of kingly power. Davenant attached himself with zeal to the interests of his patroness; and we shall see him, on more than one occasion, freely exposing himself to dangers and sufferings in the royal cause.

CHAPTER XVII.

1639 and 1640.

Covenanters jealous of the king's intentions.—Lords of Montrose, Lothian, and Loudon.—Terms of the pacification disputed.—King declines opening the Scotch parliament.—Hamilton's duplicity.—Traquair royal commissioner.—Acts of the Scotch parliament.—Bishops' protest.—Constitution of the country remodelled by the parliament, which is thereupon prorogued.—Capture of a Spanish fleet by a Dutch one in the Downs.—The court deserted.—All the cabinet-council against war with Scotland, except Wentworth whom Charles sends for to England.—He is created earl of Strafford and lord lieutenant of Ireland.—King reluctantly consents to summon a parliament.—Strafford's proposal for controlling it.—The army put under new commanders.—Queen's interference with military appointments.—No relaxation of oppression in England.—High measures of Strafford with the Irish parliament.—Sentiments of Irish chieftains.—Troops levied there.—Strafford returns to England.—Opening of parliament.—Excellent composition of the house.—King's speech.—Committees formed for grievances.—Petitions.—Characters of opposition members.—Harbottle Grimstone.—Sir B. Rudyard.—Pym.—Proceedings of parliament respecting the cases of Eliot, Hollis, and Hampden.—Ship-money declared a grievance.—King interposes.—Notice of Waller.—Contests respecting supplies.—Parliament dissolved.—King's speech.—Members imprisoned.—Acts of the convocation.—New canons.—Et cætera *oath.—Attack on Lambeth palace punished as treason.—Torture applied.*

THE motives of the king in concluding the pacification of Berwick were justly appreciated by the people of Scotland; and a jealousy of his further

designs was openly evinced. Fourteen of the chiefs of the covenant being summoned to meet him at Berwick before his return to London, the people of Edinburgh, in alarm for their personal safety, assembled with the purpose of preventing their journey. Three only of the number judged it safe to comply with the royal invitation; the lords of Montrose, Lothian, and Loudon; and of these the first, whose opposition to the court had originally sprung from no higher source than the disappointment of selfish hopes, became a decided convert to the royal cause; whilst the principles of the other two underwent, as was suspected, considerable modifications. It was judged a fitting precaution on the part of the covenanters to detain in the country on full pay all the military officers of their own nation whom they had summoned from foreign service; whilst the king, on his, took measures for strengthening Edinburgh castle, and throwing additional supplies of men and ammunition into that of Dumbarton.

The terms of the pacification became the subject of dispute and mutual contradiction. The Scotch commissioners published an apology for their conduct, addressed to the objections of the more zealous covenanters, in which they affirmed, that verbal promises had been given by the king, and noted down by themselves on the spot, much more favorable to their cause than the public articles, which had been drawn up with an understood saving for what the king regarded as due to his honor. This statement, which wears a great semblance of truth,

was vehemently denied by Charles, and the apology which contained it was, by order of the English council, burned by the hands of the common hangman. Meantime, the disaffection of the people of Edinburgh broke out in gross insults to the ministers of state and all who were looked upon as the personal friends of the king; and either the dissuasions of Strafford and the courtiers, or his own apprehensions, induced Charles to relinquish his declared intention of presiding in person at the meeting of the general assembly and the parliament, fixed for the ensuing August.

Hamilton, immediately after the pacification, had undertaken to serve the interests of his master in the line best suited to his talents and dispositions, sanctioned by the following remarkable warrant under the hand of Charles. "We do by these presents not only authorize but require you to use all the means you can, with such of the covenanters as come to Berwick, to learn which way they intend the state of bishops shall be supplied in parliament; what our power shall be in ecclesiastical affairs; and what further their intentions are. For which end, you will be necessitated to speak that language which, if you were called to an account for by us, you might suffer for it. These are therefore to assure you, and, if need be, hereafter to testify to others, that whatsoever you shall say to them, to discover their intentions in these particulars, you shall neither be called in question for the same, nor yet it prove any ways prejudicial to you;

nay, though you should be accused by any thereupon[a]."

It is not surprising that after performing the dishonoring part thus assigned to him, Hamilton should have declined to return to Scotland in the character of royal commissioner. He had doubtless informed himself sufficiently of the views of the covenanters, to be fully aware, that the total and perpetual abolition of episcopacy, and the complete exclusion of all interference of the regal authority in affairs ecclesiastical, were the only terms with which they would now rest satisfied; and these there was no chance that the king would be prevailed upon sincerely or permanently to concede. To Traquair therefore this difficult and displeasing office was assigned, and by him the assembly and the parliament were opened at the appointed time.

In the assembly, the abolition of all the late innovations in religion, and of episcopacy, was triumphantly carried, the king having empowered Traquair to give the royal assent to this measure, subject to certain limitations and distinctions, so worded as to afford a pretext for setting aside, on the first favourable occasion, the whole of the concessions now extorted from him by what was called a state necessity. The covenant was renewed, with the insertion of a clause more expressly declaratory of allegiance to the prince; and after it had been taken by the commissioner, the meeting was dis-

[a] *Hardwick State Papers*, ii. 141.

solved with great rejoicings and thanksgivings on the part of the people. But the real struggle was yet to commence.

The bishops had protested by anticipation against the validity of the acts of a parliament from which their order should be excluded; the king was with reason believed to meditate availing himself of this ground of nullity; and the covenanters, resolved to baffle his design, proceeded without hesitation to remodel the ill-balanced constitution of their country on the principles of popular representation. A third estate, composed of a kind of county members, was to form a legal substitute for the estate of the lords spiritual; the selection of the lords of the articles was not hereafter to be vested in the crown; but freedom of discussion was to be secured, and the triennial meeting of parliaments; and various abuses were to be corrected.

Viewing in these measures not only the discomfiture of the present projects of his master, but the virtual abolition of the regal power in Scotland, Traquair took refuge in a short prorogation, which was afterwards extended by the king to a period of six months. To this long suspension, which was declared about the middle of November 1639, the Scotch parliament professed to submit, as a mark of deference to their prince; but with a protest against his right to command it; and the earls of Loudon and Dumfermline were some time after sent as commissioners to make representations to the king on the subject, and procure if possible his as-

sent to the obnoxious acts. But the king was absolutely determined upon a renewal of the war, as the preferable alternative.

In the mean time, a singular incident held for a time the whole nation at gaze, and flattered Charles with vain hopes of some pecuniary resource.

A Spanish fleet, closely pursued by that of Holland, with which it had been engaged to some disadvantage, took shelter in the Downs. It consisted of seventy sail of galleons and transports; the Dutch fleet being, though greatly inferior in numbers, superior in the condition of their ships and the skill and courage of the commanders. A natural jealousy of the designs of this new armada was at first manifested by the English ministry, who had recently received intelligence of dangerous projects of rebellion and invasion concerted between certain exiled Irish chieftains and the court of Spain[a]. Yet, on assurances given by the Spanish ambassador of the good faith of his master, supported by sufficient proof that the destination of the armament was Dunkirk, Charles's necessities induced him to offer, in consideration of a sum of 150,000*l.* so far to depart from the neutrality he had professed, as to take this fleet under the protection of his own, and convoy it to Flanders, and afterwards to a Spanish port. The proposal was cordially welcomed by the court of Brussels; but so large a sum of ready money could not easily be found, and be-

[a] *Clarendon Papers*, ii. 70, *et seq.*

fore all was arranged, a period of six weeks had elapsed. Meantime the Dutch fleet had been augmented by repeated reinforcements to a hundred sail; and the States determined no longer to forgo a certain and important victory from respect to the prohibitions of an ally whom they had as little cause to fear as to love, or trust. They therefore gave orders to their admirals to attack; and in the Downs, under the very eyes of Pennington the English admiral, who thought proper to remain a quiet spectator, the Spaniards sustained a total and most destructive defeat.

The disappointment of Charles on the loss of this expected advantage must have been severe; and to add to his mortification, the cardinal-infant expressed to Gerbier, then the English agent at Brussels, the sentiment, that by this action of the Hollanders, the king of Great Britain had sustained a greater blow than the king of Spain. Adding, that he had advices that when the attack of the Spanish fleet was first proposed in the assembly of the States, "it was resolved on with that insolency and animosity, that to the objections which some made of the intrenching upon his majesty's prerogative, and the contempt of the protection he had taken of the Spanish fleet, not only upon his own seas, but within his own harbour, and consequently the rupture which would necessarily ensue between his majesty and the States; their general answer to these objections was, that his majesty durst not break with them; and if he durst, they feared him not; and in fine,

rather than suffer the Spanish fleet to escape, they would attack it, though it were placed upon his majesty's beard[a]."

Even the pomp and festivities of the court suffered an ominous eclipse from the aspect of political affairs. "We had a most lamentable St. George's feast," writes the earl of Northumberland to the earl of Leicester; "few knights, scarce any but boys, and Scotch and Irish lords, to wait upon the king. And amongst all the spectators, not the face of a gentleman or woman to be seen; nor any election of a new knight though there are three places void[b]."

The policy of Charles found little support from his most trusted counsellors. Hamilton still advised pacific measures; the earl of Northumberland, lately admitted into the Junta, or what was then reproachfully styled the cabinet-council, to which the affairs of Scotland were confided, expressed the same sentiment; and even Laud himself, now thoroughly alarmed, incurred the royal rebuke by the perseverance of his pleadings in behalf of conciliation. Wentworth alone, in the heat and confidence of his temper, held out to his master assurances of complete success against a people whom he despised as fanatics no less than he detested them as rebels. He scorned to believe that the English nation would hesitate to support their prince in such a cause; and if he had hitherto advised the post-

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[a] *Clarendon Papers*, ii. 79. [b] *Sidney Papers*, ii. 612.

ponement of hostilities, it was only the better to secure the final triumph which he now anticipated. By vigorous measures he had himself not only suppressed a threatened rising among the Scotch in Ulster, but compelled them to forswear their covenant. Ireland lay humbled in silent subjection at his feet, and he saw no cause why a similar course of policy should fail of reducing both Scotland and England to the same state. These sentiments he had repeatedly expressed in letters to Laud, to others of the ministers, and to the king himself. He had further exhibited his zeal by diligently recruiting and bringing under discipline the Irish army, by strictly enforcing the payment of ship-money within his Northern presidency, by causing troops to be levied and trained there, and by the large contributions to the expenses of the war, partly from his own purse, partly from those of his friends, which he had paid into the royal treasury.

Struck with so many proofs of his will and power to serve him in the manner and on the principles most congenial to his own sentiments, Charles condescended to intimate to the lord-deputy under his own hand, his wish to see him at court, where he had so lately discouraged his attendance; adding, that he had "much, too much," private matter to require his counsels for some time, to which he would then only allude by saying, that the Scottish covenant spread too far. Some other pretext was however to be taken for his visit to England: this Wentworth found in matters arising out of the ap-

peal of lord chancellor Loftus to the English council, and in November 1639 he arrived in London.

We have seen the king twice denying to viscount Wentworth the advancement in dignity on which his heart was set, almost avowedly on the ground of the obloquy which his public conduct had incurred, and in which his master was unwilling, by any public mark of approbation bestowed upon him, to render himself a partaker. But it was no longer a time for such scruples; in the state to which he found himself reduced, a minister of the talents and resolution of Wentworth might put his own price on his indispensable services; and immediately on his arrival, he received the patent of earl of Strafford and baron Raby, and shortly after the garter. The rumour of the court had also assigned to him the office of lord-treasurer; but he probably preferred to retain the absolute rule of a dependent kingdom, nor could his presence there be dispensed with, and the title of lord-lieutenant of Ireland, never conferred on any deputy since Elizabeth had granted it to Robert earl of Essex, was added to his decorations.

The total abolition of parliaments in England had been the favorite object of the policy of Charles. A disuse of eleven years, sustained by the people with a silence resembling acquiescence, had flattered him into a belief that the experiment had succeeded; the levy of tonnage and poundage and of ship-money had established precedents for future taxation by royal authority to any amount; the same authority

had also been successfully employed in the raising of troops; and notwithstanding the disgraceful result of the last campaign, and the present complete exhaustion of the exchequer, he fondly imagined that the resources of prerogative would still prove adequate to the emergencies of his situation. But this sanguine view was not shared by a single individual in his council. They all better knew the state of utter feebleness and decay into which every department of the administration had fallen, and took a truer measure of the profound and widely spreading discontents,—and all, whether their interests or inclinations might prompt them to desire or to deprecate the assembling of a parliament, concurred in regarding it as an event which could neither be avoided nor longer deferred. We even learn from the diary of Laud, that Hamilton, Strafford, and himself, became the first movers of this measure in the council. The king, still diffident and averse, put the question to all the members present, whether, in the event of the commons proving "peevish," they would bind themselves to assist him in the "extraordinary ways" which would then be necessary for his service? and having obtained from them an unanimous resolution to that effect, he gave to the measure a tardy, hesitating, and ill-omened assent.

It was now the time for Strafford to disclose those resources through which he believed that it would be in his own power to turn this measure of necessity to the ultimate benefit of his master's autho-

rity. His plan was simple: Before the meeting of the English parliament, he proposed to convene one in Ireland. Here, as past experience assured him, he had no opposition to dread. Large supplies would be granted, by means of which the army might with ease be so augmented as to enable him, after effectually providing for the tranquillity of that island, to strengthen the hands of the king with a force capable of subduing all opposition to his will in England. Animated by these counsels of vigor, Charles appointed the month of March 1640 for the meeting of the Irish parliament, and the following month for that of the English, and in the mean time proceeded with redoubled activity in his preparations for the ensuing campaign.

It is observed by Clarendon, that the king had not dismissed his army "with so obliging circumstances as was like to incline them to come so willingly together, if there were occasion to use their service:" That "the earl of Essex, who had merited very well throughout the whole affair, and had never made a false step in action or counsel, was discharged in the crowd without ordinary ceremony," and an opportunity, which soon after occurred, of obliging him highly by the grant of the rangership of Needwood forest, not embraced. By a perseverance in the same impolicy it was now determined not again to employ him, and a like resolution was taken with respect to the earls of Arundel and Holland; all three, it is to be remarked, the personal enemies of Strafford.

In the place of these, the earl of Northumberland was appointed general, whilst Strafford took in preference the post of lieutenant-general, and by the concurrence of both, the charge of master of the horse was given to their common friend lord Conway, characterized by a contemporary as "a man of Epicurean principles, a great devourer of books and good cheer, and who lay under some reflection since the action of the isle Rhé[a]." "The rest of the chosen military men," adds the same author, "as Wilmot, and Goring, and Ashburnham, and O'Neal, &c., were merry lads, and none of them well-willers to Strafford, but more the lord Holland's dependants, a greater man on the queen's side than he, which made them so froward towards him."

In these appointments we may probably trace the effects of the queen's busy interference with military commissions; which the lord-deputy had often vainly remonstrated against in Ireland, and in England must have found it still less in his power to restrain.

The news of a parliament was received with transports of joy by the English people, who regarded it as the certain prelude to the redress of grievances and a return to the ancient free constitution of the country. Prudence might now have

[a] Warwick's *Memoirs*. Conway however was certainly a man of talent. His letters in the Strafford Papers are the most entertaining and best written of that collection, unless we except Strafford's own.

dictated to the king the conciliatory policy of some relaxation of habitual oppressions, some demonstrations, however faint, of a purpose to govern in future according to law; but this his pride forbade. "That it might appear," says lord Clarendon, "that the court was not at all apprehensive of what the parliament would or could do, and that it was convened by his majesty's grace and inclination, not by any motive of necessity; it proceeded in all respects in the same unpopular ways it had done: ship-money was levied with the same severity; and the same rigor in ecclesiastical courts, without the least compliance with the humour of any man[a]."

Strafford in the mean time was carrying everything with a high hand in Ireland. The splendor of his new dignities, the eminent trust and favor into which he had been received by his sovereign; the hopes of profit and preferment by his means on one hand, and the dread of his fury and vindictiveness on the other, drew forth protestations of attachment to his person and administration, which he deluded himself into believing spontaneous and sincere. Four subsidies were voted by the parliament unanimously, and as it were by acclamation; the members protesting with the passionate rhetoric of their country, that their hearts were mines of subsidies for his majesty's service, and that twenty, were their abilities equal to their affections, would not be too many to grant to so sacred a majesty,

[a] *Hist. Rebellion*, i. 230.

from whose clemency, through the medium of their lieutenant, so many gracious favors were continually derived to them. They proceeded to express their abhorrence of the treason and rebellion of the Scotch, and to offer the aid of their swords as well as purses to the royal cause.

The last proposal came doubtless from the heart. Nothing could be so welcome to the propensities, or convenient to the circumstances of the Irish of every class, as any prospect of military service; and religious antipathies conspired with various causes of political jealousy, and the most complete opposition of national character, to render their Scottish neighbours the chosen objects of their animosity. Nor can it be doubted that the heads of ancient septs, the secret rulers of the native population of the island, had at this juncture reasons of their own for desiring to see large bodies of their countrymen disciplined to arms.

Elated with a present success which taught him a false and fatal confidence in the soundness of his own political views, and the dispositions of the persecuted catholics of Ireland, the lord-lieutenant, in transmitting to England the vote of supply, appealed to the professions uttered in the house and at the council board, as a triumphant confutation of the slanderous assertion of his enemies, that his severities had rendered him "a most hated person, indeed a vizier basha, or anything that might be worse;" and he requested that the utmost publicity might be given to the proceedings of Ireland, as an exam-

ple of encouragement and intimidation, in England and in Scotland. He then proceeded with extraordinary diligence to direct a levy of 8000 foot and 1000 horse, a part of which was dispatched to garrison Carlisle, while the remainder was designed to carry the war into Scotland under his own immediate command.

Having concluded these momentous affairs within the compass of a single fortnight, Strafford reembarked for England in hopes of arriving in time for the opening of parliament. But his bodily frame refused longer to comply with the requisitions of a spirit insensible of fatigue and utterly disdainful of indulgence or repose. It was in the midst of a fit of the gout that he had set out on his return; in the midst of a violent storm that he had compelled the captain to weigh anchor for Chester; but on reaching that port, after a rough and dangerous passage, his state was such, that he could scarcely endure to be carried on shore, and it was several days before he was able to pursue his journey, even in a litter. The anguish of his body seemed to aggravate the harshness and violence of his temper. In a letter dictated from his sick bed, he expresses his despair of seeing "the frowardness of this generation" reduced to moderation and right reason, "till punishments and rewards be well and roundly applied." He also declares his wonder that the council should have failed to send for and "lay by the heels," the deputy-lieutenants of Yorkshire, who had refused to raise 200 men for the king

without security for the reimbursement of coat and conduct money. It seems that they were borne out in this refusal by law and ancient precedent; "but what," he pertinently asks, "should become of your levy of 30,000 men in case the other counties of the kingdom should return you the like answer[a]?"

Parliament opened on April 13th, 1640. It was a full assemblage. Impressed with the importance of the occasion, the members had discarded their old custom of trifling away a full fortnight before they assembled in earnest for the dispatch of business, and scarcely a man was absent from his post. It is confessed on all hands that the choice of the people had fallen on the men of greatest consideration in the country for wisdom and patriotism, as well as property, the mere court candidates having been in general rejected; and the eyes of the whole nation were fixed on their proceedings with joy and trust.

Charles, anxious and embarrassed, after briefly remarking that there never was a king who had a more great and weighty cause to call his people together than himself, and alluding to a letter signed by seven Scottish peers requesting assistance from the king of France, which he had intercepted on its way, and on account of which he had committed the earl of Loudon to the Tower, referred the house for further particulars to the lord keeper, Finch.

The speech of this minister opened with a mani-

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[a] *Strafford Letters*, ii. 408.

festo against the rebellious Scots; the king, he then said, had not convoked his parliament to ask their counsels in this matter, nor were they to interpose their mediation, which would be unacceptable; he had assembled them in order that they might grant him the supplies of which he stood in urgent need. With respect to tonnage and poundage, he disclaimed for his master the power to take it without consent of parliament, otherwise than provisionally, and desired that a bill might be passed granting it to him from the beginning of the reign. Ship-money, he said, it had not been his majesty's intention this year to levy, as he had no purpose of making it a source of revenue, and had on no occasion diverted it from its proper object; the state of Scotland however had compelled him to continue it for another year. In conclusion, he tendered the royal promise, that after the supplies should be voted, such time should be allowed to the commons for the discussion of any matters of complaint, as the season and the state of affairs would permit.

On the whole, although the tone assumed by the king was in some degree lowered, his requisitions were essentially the same which he had made to former parliaments,—namely, that supply should have the precedence of all other business, and that his royal word should be confided in for the subsequent discussion and redress of grievances. But this was a pledge which the king's open and habitual violation of every provision for the security of the subject, sanctioned by the petition of right, had long

since deprived of all its value, and nothing remained to the representatives of an oppressed and indignant people, but to imitate the resolute conduct of their predecessors.

Committees were formed, for religion, for privileges of parliament, courts of justice, and grievances in general; and a solemn fast was proclaimed. Immediately after, petitions from several counties, presented by their respective members, complaining of ship-money, projects and monopolies, the star-chamber and high-commission courts, and other oppressions, gave occasion to an animated debate on the state of the nation. A slight glance at the characters and stations of the principal speakers will suffice to indicate the quality of the opposition now arrayed against that system of which the king was himself the prime mover.

The debate was opened by Harbottle Grimstone, Esq. member for Colchester, of an ancient and opulent family and son of a baronet of the same names, who had sat in the three former parliaments of the reign, and sustained imprisonment as a loan-refuser. Mr. Grimstone being born a second son, had studied the law as his profession; he had been desirous of relinquishing it on becoming heir to his father; but the worthy judge Crook, whose daughter he addressed, had attached to his consent the condition of his pursuing a profession in which he doubtless anticipated his future eminence. Integrity, consistency, and moderation were the features which chiefly distinguished him through the long

course of his political and judicial life. Ship-money was one of the grievances against which he principally inveighed on this occasion; the opinions of most of the judges, he said, had been procured in its favor, but he feared not to say, that they must all have signed "against the dictamen of their consciences." Punishment of offenders and redress of wrongs he held to be of more urgency and interest than the foreign concerns of Scotland; and he endeavoured to reconcile patriotism and loyalty, by recommending that the house should so seek the redress of the many grievances of the nation, as not to lose the confidence of the king, or provoke him to the total disuse of parliaments in future. But the speech of greatest weight was made by John Pym.

Of this memorable person our biographical notices are singularly scanty. The time and place of his birth appear to be unrecorded; but he must have been the senior of most of those with whom he acted; "He had been well known," says lord Clarendon, "in former parliaments, and was one of those few who had sat in many." The same author likewise mentions him as "a man of good reputation," "of a private quality and condition of life: his education in the office of the exchequer, where he had been a clerk; and his parts, rather acquired by industry than supplied by nature, or adorned by art." He adds however, that besides his exact knowledge of parliamentary forms, in which few could rival him, "he had a very comely and grave way of expressing himself, with great

volubility of words, natural and proper; and understood the temper and affections of the kingdom as well as any man[a]." Pym was one of the gentlemen who had united with the lords Say and Brook in their purchase of land to found a settlement in North America. He was closely connected in political life with Francis earl of Bedford, and shared with a member of the Russell family the representation of the borough of Tavistock. In this parliament, he was looked up to as the undoubted leader of the country party, nor can it reasonably be questioned that if his acquisitions were great, his abilities were also transcendent. In a methodical and well compacted speech of two hours in length, he exposed with masterly force and clearness of statement, but in temperate language, and with an anxious assertion of the constitutional maxim that the king can do no wrong, those manifold grievances and abuses of the time, which "disabled" the parliament to grant supply, and would continue so to do till they should find redress; which, he observed, would be as much for the advantage of the king himself as of his people. The grievance on which he animadverted last, as the fountain of all others, was the intermission of parliaments, which by two statutes not repealed nor expired, ought to be held annually.

On the following day, April 18th, after the sentiments of other members had been heard, the house

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[a] *Hist. Rebellion*, i. 234. iv. 437.

voted that the records of the proceedings in the king's bench and star-chamber against sir John Eliot, Mr. Hollis, and the other members imprisoned for their actings in the last parliament, should be sent for, and also those relating to Mr. Hampden's cause. The conduct of Finch, as speaker of that parliament, in refusing to put the question at the command of the house, was next declared a breach of privilege, and ship-money was voted a grievance in one of the committees.

The king now sent for both houses to attend him at the Banqueting-house, where a speech was made them by the lord keeper excusatory of ship-money, as a duty levied by necessity, which had been faithfully devoted to its proper object, and which his majesty would in future permit them to settle and control in any manner they should think fit. "But," he added, "I must tell you that his majesty prizeth nothing more than his honor, and he will not lose for any earthly thing his honor in the least." Having again urged the pressing necessity of a supply, he ended with the former plea, "that good manners, duty, and reason" required them to put confidence in the professions of the king, and give his business the precedence of all other matters. The discussion to which this ill-judged interference gave rise in the commons, called forth a person destined to become no less notorious in politics than he had already rendered himself celebrated in poetry,—Edmund Waller, the cousin of Hampden.

Possessed from infancy of a large estate, nurtured in all the incitements to learning which Eton and Cambridge could afford, and endowed with extraordinary vivacity of conception and expression, combined with the meditative propensity which belongs to the poetic temperament, he had started into the career of public life, as of literature, long before the term of manhood. Born in 1606, he had taken his seat in the last parliament of James, holden in 1624. He had likewise been a member of the three short-lived parliaments of Charles, though no records of his conduct in them survive. Meantime, his strains of courtly compliment were assiduously directed to the royal pair. He lived in intimacy with the accomplished Falkland, adorning the choice circle of wits and scholars of which he formed the centre. During the long intermission of parliaments, gallantry and verse, the pleasures of a court and the praises of his Saccharissa, seem to have divided his thoughts; but the episcopal usurpations, the violations of personal liberty and private property so boldly perpetrated, and, more than all perhaps, the example of his illustrious kinsman, and the public applause which attended upon it, had roused in him a sterner temper, and better fitted to the times.

In a speech of much point and energy, mingled however with expressions of reverence and duty towards the king, and a zealous desire to render him truly great and glorious, he argued the necessity of a reinstatement of the people in their lost

rights as preliminary to any grant of public money. Two points were remarkable—a keen stroke at the evil influence of the queen in the counsels of her husband, and a biting sarcasm upon the preachers of right divine. "I am sorry," he said, "these men take no more care to gain our belief of those things which they tell us for our souls' health, while we know them so manifestly in the wrong in that which concerns the liberties and privileges of the subjects of England: but they gain preferment, and then 'tis no matter though they neither believe themselves nor are believed by others. But since they are so ready to let loose the consciences of their kings, we are the more carefully to provide for our protection against this pulpit-law, by declaring and reinforcing the municipal laws of this kingdom. ..... Histories will tell us, that the prelates of this kingdom have often been the mediators between the king and his subjects, to present and pray redress of their grievances, and had reciprocally then as much love and reverence from the people; but these preachers, more active than their predecessors and wiser than the laws, have found out a better form of government[a]."

The parliament had as yet sat only six or seven days, and, by the confession of Clarendon, one of its members, "had managed all their debates, and their whole behaviour with wonderful order and sobriety;" but this conduct, formed to conciliate the

[a] Rushworth, iii. 1142.

esteem of the nation, rendered their proceedings but the more formidable to the king; and he was impelled to take the rash step of prevailing upon a majority of the house of lords, contrary to the judgement of its wiser members, to demand a conference with the commons, in order to urge them to expedite the supply. This interference was warmly resented by the commons, who were warranted by all usage in regarding money-bills as their peculiar province. They voted it so high a breach of privilege that they could proceed on no other business until they should have received reparation; this the peers were reluctant to concede, and the public business was suspended in consequence during several days.

The king now thought proper to send a written message to the house by sir Henry Vane, offering to give up for the future his *right* to ship-money, in consideration of a grant of twelve subsidies, payable in three years. On this proposition strenuous contests arose, in which Hampden was conspicuous. Not only was the amount of subsidies judged enormous, but it seemed the prevailing sense of the house, that to vote anything to the king as a compensation for desisting from this exaction, was in effect to sanction one of the grossest violations of right with which his administration was chargeable, and to surrender every security against its future renewal. The debate was adjourned, probably to give the king an opportunity of receding; but on the next day after many severe speeches

had been made against arbitrary taxation on one hand and on the other some compromise of the royal demands had been proposed, secretary Vane rose and said, that to deal frankly with the house he must announce, that although they should pass a vote of supply, it would not be accepted by his majesty unless it were in the manner, and to the amount proposed in his message. The house broke up without coming to any decision; and on the morrow, May 5th, Charles sending for the commons to the house of lords, dissolved the parliament.

In his speech on this occasion, after returning thanks to the peers for their good endeavours to have "given a happy end to the parliament," and laying the blame of its failure on "the malicious cunning of some few seditiously affected men" in the lower house, he thus concluded: "As for the liberty of the people, that they now so much startle at, know, my lords, that no king in the world shall be more careful in the propriety of their goods, liberty of their persons, and true religion, than I shall[a]."

Almost with these words upon his lips, the monarch issued orders for searching the study and even the pockets of lord Brook for papers, whilst Henry Bellasis and sir John Hotham were summoned before the council, where he presided in person, and interrogated respecting transactions in parliament; and on their declining to give satisfactory answers,

[a] Rushworth, iii. 1154.

they were thrown into prison. Mr. Crew likewise, on his refusal to deliver up petitions and other papers intrusted to him as chairman of the committee for religion, was consigned to the Tower; whence he nobly disdained to purchase his release by a surrender which would have abandoned many clerical petitioners to the vengeance of their metropolitan.

The assembly of a convocation had, according to custom, kept time with the meeting of parliament. From this reverend body, acting under the stern and vigilant superintendance of the primate, an unconditional compliance with the requisitions of the sovereign might securely be anticipated; they voted, with few dissentient voices, an aid of six subsidies at four shillings in the pound,—to be levied in three years,—or more, should any precedent be found for a greater number. With this act of duty it had been well if they had closed their session. But the archbishop,—than whom no hermit of the desert could have been more unskilled to discern the signs of the times or the spirits of men,—conceived that so favorable an occasion ought not to be lost of putting a last hand to the stately edifice of ecclesiastical power which he had been at so much pains to rear, and fencing it by fresh bulwarks from the assault of rude and sacrilegious hands. Charles, with the blind complaisance which in these concerns he constantly exhibited, assented to the wishes of the prelate, and authorized the convocation to make

and establish canons, orders and constitutions, subject only to his royal approbation.

They proceeded in their task with an ill-omened diligence; by a violation of all usage, if not of the constitution, their session was continued by a new commission after the dissolution of parliament; and its final result was the enactment of no less than seventeen new canons, to all of which his majesty, arrogating to himself the powers of the whole legislature, commanded his subjects to yield obedience. The most important effects of them were, to establish all the new ceremonies, and the orders respecting altars and vestments, to compel the clergy at set times to preach up the doctrines of divine right and passive obedience; and to bind, not the clergy alone, but certain classes of the laity, as schoolmasters, medical practitioners, and the students of the universities, by a new oath against all innovations in the doctrine or government of the church. This last article in particular encountered strong and general opposition. It was objected, that neither the convocation nor the king had power to impose an oath not required by law,—that its terms would preclude those who took it from giving their assent to any future change, although sanctioned by the whole power of the state: That it seemed to assert a divine right in bishops, and that an *et cætera* was introduced into the body of it, which might be made to mean anything. The last circumstance was eagerly laid hold of, and the *et cætera* oath be-

came not only a theme of reproach but a word of derision. Petitions against the oath and canons, on these and other grounds, drawn by the most able of the puritan divines, circulated in secret, and received the signatures of a large portion of the clergy. Even high-churchmen remonstrated against their expediency at this crisis, and the king himself found it necessary to direct that the oath should not now be pressed. The canons were no more heard of, except as forming an article of impeachment against their imperious and infatuated contriver.

During the sitting of the convocation, a paper posted up at the Royal Exchange invited the apprentices to rise and sack the palace of Lambeth, and it was in consequence attacked by a mob. The archbishop, being forewarned, had taken such measures of defence that the rioters were repulsed without further damage than some broken windows. Certain of the judges, however, were induced to pronounce this trifling tumult a levying of war against the king, and one of the rioters actually suffered the pains of high treason, with certain accompanying circumstances not to be passed over. This person, named John Archer, was a drummer in the army of the North; but having obtained leave of absence immediately after the dissolution of parliament, he joined in the attack on Lambeth palace, and was taken into custody. Being rescued from prison by his comrades, he was subsequently proclaimed as a traitor. The captain of his troop

in the North, seeing the description of his person in the proclamation, wrote to the council to inform them where he was to be found. Upon this, the poor drummer was arrested, and paraded through the city by a troop of trained-bands to the Tower. "On the Friday following," says a contemporary, "this fellow was racked in the Tower to make him confess his companions. I do hear he is a very simple fellow, and knows little or nothing, neither doth he confess anything save against himself. But it is said there will be mercy showed to save his life; but this is more than I am yet certain of. The king's serjeants Heath and Whitfield took his examination on the rack last Friday[a]."

It will be recollected, that in the case of Felton the judges had solemnly decided against the use of torture as always, and in all circumstances, contrary to the law of England. Its subsequent employment in this case was therefore an enormity destitute of all excuse, and it can scarcely be doubted that it was perpetrated by the direction of Laud himself.

In all probability the execution of the wretched victim preserved the atrocious secret in few hands, or it would surely have attracted the notice of the long parliament. The circumstance is mentioned by no historian, but the warrant for applying the torture still exists in the State Paper Office.

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[a] See *Additional MSS.* in Brit. Mus. No. 1467.

CHAPTER XVIII.

1640 and 1641.

King resolves to prosecute the war with Scotland.—Supplies arbitrarily levied.—Spirit of resistance.—Mutinous acts of the soldiers.—Vigorous measures of the covenanters.—Proceedings of the Scotch parliament.—They raise an army and march to the border.—King declares himself generalissimo and departs for the North.—Rout of Newburn.—Retreat of the king.—Scotch occupy Newcastle.—Difficulties of the king.—Petition of peers for a parliament,—of citizens and others.—Lords Howard and Wharton.—Sentiments and situation of Strafford.—Council of peers at York.—Treaty of Ripon.—Preparatives for a parliament.—Queen's capuchins.—Strafford courts Clanrickard.—Truce made with the Scotch, and further negotiations transferred from Ripon to London.

THE hasty dissolution of a parliament on which the nation had placed its only hopes of the effectual redress of grievances, and of a solid reconciliation between the king and the representative body, filled all considerate men with sorrow and alarm; but it produced no alteration in the measures of Charles. "Notwithstanding the dissolution," writes the earl of Northumberland to his brother-in-law the earl of Leicester, "the king intends vigorously to pursue his former designs, and to levy the same army of 30,000 foot and 3000 horse. About three weeks hence they are to be drawn together; but as yet I cannot learn by what means we are

certain to get one shilling towards the defraying this great expense. What will the world judge of us abroad to see us enter into such an action as this is, not knowing how to maintain it for one month? It grieves my soul to be involved in these counsels; and the sense I have of the miseries that are like to ensue, is held by some a disaffection in me[a]."

All the illegal and odious expedients of the last year were revived with added rigor, and fresh ones devised. Ship-money was again demanded, and where the payments fell short, measures were taken to punish the remissness or contumacy of the sheriffs, several of whom positively refused to be employed in its collection. Orders were sent to each shire for the impressment of a given number of men, who were to be trained and furnished with coat and conduct money at the charge of the county, and quartered in private houses on their march to the borders. Requisitions were made upon the people of carts, horses, provision, fodder, and all other necessary supplies. Contributions called voluntary were again demanded of the nobility and gentry; and several aldermen of London were committed to prison for their refusal to deliver in a list of those of their fellow-citizens whom they judged able to advance money by way of loan. A quantity of pepper was taken up by the government on credit, and sold at a great undervalue, and there was a

[a] *Sidney Papers*, ii. 652.

seizure made of the bullion at the mint; but on the offer of a loan of 30,000*l.* by the merchants interested, it was released. The king even devised a scheme for debasing the coin, but it was disconcerted by the opposition of the privy-council, where the arguments against it were strongly urged by sir Thomas Rowe.

Universal indignation and complaint, and in some instances firm resistance, was excited by these unheard-of acts, and the war itself became so odious, that in several places the new levies rose upon their officers and refused to be led on. Religious jealousies were fiercely roused; a lieutenant suspected of popery was deliberately murdered by his men in one place; in another several officers were slain in a mutiny, and according to Heylin, many of the soldiers were "so ill principled, or so persuaded, that in their marchings through the country, they brake into churches, pulled up rails, threw down communion-tables, defaced the common prayer books, tore the surplices, and committed many other acts of outrageous insolence[a]." Both officers and soldiers were heard to declare that they would never fight the battles of the bishops.

The covenanters in the mean time, supported by the general sentiment of the Scottish people, were proceeding with a vigor and alacrity which presented an appalling contrast to the embarrassed operations of the king. On the meeting of the Scot-

[a] *Life of Laud*, p. 454.

tish parliament in June, a commission was produced for its further prorogation; but on pretext that it ought to have been supported by a warrant from Traquair, the royal commissioner, whose fears withheld him from appearing in person, the proper officers refused to act upon it, and the parliament entered upon business. The royal assent not being there held necessary to acts of the legislature, they proceeded to pass into laws all their former resolutions for the redress of grievances, the creation of a third lay estate, and triennial parliaments; and they concluded by imposing a tax for the support of the war, and transferring the executive power to a committee of estates.

A voluntary contribution, strenuously recommended by the clergy, and seconded with enthusiasm by the female sex, came in aid of the assessment; tents for the soldiers were supplied by the generous exertions of the women, the ranks were thronged with volunteers, and before the king found himself enabled to take the field, an army of 23,000 infantry and 3000 cavalry was in readiness to meet him. Lesley again took the command, and having marched his men to the border, he there detained them during an interval of three weeks, stationary, but by no means idle. Day by day they were perfecting their discipline under the assiduous training of their officers, and kindling into fiercer zeal beneath the fervid exhortations and passionate anathemas of their clergy.

The promptitude of the Scotch compelled the king

to change the plan of his campaign from an offensive war to one of defence; and even for this he was ill provided. In personal exertions however he was not deficient: the earl of Northumberland having relinquished his command on the plea of sickness, Charles immediately declaring himself generalissimo, and claiming the attendance of the tenants of the crown as upon a war waged by the sovereign in person, quitted London for the border. By a proclamation two days after,—August 22nd,—he declared the Scotch who had invaded, or should invade England, with all their abettors and assistants, rebels and traitors; adding however an offer of pardon on submission.

Undeterred by this denouncement, and secretly encouraged by the invitations and promises of the popular leaders in England, the Scotch passed the Tweed and advanced to the banks of the Tyne. The only force in readiness to dispute their passage was a body of 10,000 foot and 2000 horse posted at Newcastle; and Lord Conway its commander, was rationally averse to seek the encounter of numbers greatly superior to his own, with troops raw, ill-armed, mutinous for want of pay, and disaffected to the cause;—but urged by the directions, remonstrances and almost taunts of Strafford, whose contemptuous abhorrence of the Scotch rendered him obstinate in disbelief of the reports which reached him from many quarters of their formidable strength and discipline,—he yielded, and marched with all his horse and four or five thousand foot, to the ford of

Newburn, where they were expected to cross. It was the uniform policy of the covenanters to keep up the most pacific and amicable demonstrations towards their fellow-subjects of England; and Lesley now sent a formal request that he and his men might be allowed an unmolested passage to present their petitions to their king. On Conway's refusal the skirmish began. Almost at the first discharge of the Scottish artillery, the English horse deserted Wilmot their commander, who was made prisoner, and hastily falling back upon the foot threw it into disorder. A general rout ensued; the horse fled to Durham the same night; the foot, with the general, took refuge in Newcastle, which a council of war having declared untenable, lord Conway the next day withdrew the garrison and continued his retreat to the borders of Yorkshire. Strafford, whose unconquerable energy had raised him up from a sick bed to take the command of the army, with a body wasted and broken by disease, and "a mind and temper still confessing the dregs of it[a]," encountered the flying army at Darlington; and tidings of their defeat met the king at Northallerton. The loss in numbers was insignificant, for there had been no pursuit; but the complete disorganization, and the want of any fresh body of troops to rally round, rendered the disaster irretrievable. Charles hastened back to York, and Strafford himself, his heart bursting with shame and indignation, gave orders

[a] Clarendon.

for a further retreat. The Scotch meanwhile took up their quarters in Newcastle, where they found ample supplies of provision, of which the stores they had brought with them were so completely exhausted, that, by their own report, had the town held out but two days, famine would have compelled them to retire.

Charles on quitting his capital had intrusted the government to a committee of state formed out of the privy-council; and the reports of their proceedings, transmitted by secretary Windebank, and returned by the king with marginal directions and remarks, present a lively picture of the embarrassments of the time.

The total failure of pecuniary means compelled the committee to order the disbandment of a large body of men, with which it was a part of the royal plan that marquis Hamilton should attempt an invasion of Scotland; and in order to appease the discontent of the people, they even found it necessary to repay to the counties where they had been levied, the sums which had been required for coat and conduct money. The king, on one hand, incessantly clamorous for indispensable supplies, was chiding their timidity in hesitating to seize the bullion at the mint, and to issue base coin for the pay of the troops;—the merchants, on the other, were boldly denouncing these steps and exposing the ruin which they would draw with them. Before the opening of the campaign, the king had appointed lord Cottington constable of the Tower,

and ordered him to strengthen its garrison, for the purpose doubtless of overawing the city; but on the first tidings of the success of the Scottish invasion, it was judged necessary to issue a commission of lieutenancy to the lord mayor, and command numerous levies to be made within the city itself; the king however manifested his continued distrust, by forbidding any gunpowder, of which he held a monopoly, to be issued to the recruits from the royal stores; and the committee deemed it an advisable precaution to find some pretext for not allowing them a general muster, "unless the city were in better temper," and the king's affairs in the North more prosperous. At the same time their attention was drawn to the alarming fact of the assemblage in London of "some lords and other persons of quality, who had been observed not to be very well contented with the time: namely, the earls of Essex, Warwick, and Bedford, the lords Say, Russell, and Brook, Pym and Hampden." These persons, it was found, had "held their meetings," and it was much apprehended to be "for some dangerous practice or intelligence with the rebels of Scotland." No stronger means of prevention however were hazarded than to require the earl of Bedford to repair to the county of which he was lord lieutenant, and to intercede with the king to write a gracious letter to the earl of Essex inviting him into his own presence. "If this lord were taken off," observes Windebank, "the knot would be much weakened, if not dissolved. And besides that it

will be of great importance to sever him from that ill-affected company; he is a popular man, and it will give extraordinary satisfaction to all sorts of people to see him in employment again." Charles replied, that he had once already invited, and would again urge him to come with the forces of his county. But he would go no further in conciliation.

The earl of Arundel, as lieutenant-general, exerted himself to raise an army of reserve from the counties about London; but apparently with small success. The cause was utterly unpopular, and the king required moreover that every one should serve against the invaders at his own expense; being, in fact, destitute of the means of defraying them. So dark was the aspect of affairs, that some members of the committee already advised that Portsmouth should be ammunitioned and provisioned, as the securest retreat for the king and royal family in case of fresh defeat and the advance of the Scotch southwards[a].

To levy further supplies upon the country by arbitrary courses being manifestly impracticable, the committee began at length to take into consideration "the means of reconciling the king and his people." Two propositions were made for this purpose; the summoning of a parliament, and the assembling of the great council of peers. In favor of the last expedient there was the precedent of Edward III., who, according to the statement of the

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[a] *Clarendon Papers*, vol. ii. p. 89. *et seq.*

earl of Manchester, the proposer of this measure, had convened them on a like occasion, when "they raised great sums of money without a parliament, and assisted the king." To this resource therefore the great officers of state mostly inclined; whilst others, clearly foreseeing that the first act of such a council would be to address the king to summon a parliament, judged it more advisable that he should gain the credit of issuing the writs immediately, and of his own motion. The disheartened primate gave his opinion in the following remarkable terms. "The great council of the lords to be called, but to be put to the king that *we are at the wall*, and that we are in the dark, and have no grounds for a counsel. We have no way but this, or the calling of a parliament, and the parliament *a consequent*[a]." Windebank communicated the general vote of the council to his majesty in an urgent and argumentative letter, the sum of which was comprised in the question: "Whether your majesty will not rather give the glory of redress of grievances and of a parliament to your own lords, or rather to yourself, by their common advice, than to the rebels, if your power and force be inferior to theirs[b]?"

Finding no resource, the king adopted the proposal of calling the council of peers, but deluded himself some time longer with the flattering hope that the extremity of a meeting with his people in

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[a] *Hardwick State Papers*, ii. 168. *et seq.*

[b] *Clarendon Papers*, ii. 97.

parliament might yet, by this expedient, be averted. In the mean time, steps were taking in various quarters to hasten his decision.

The meetings of the heads of the popular party in London, viewed with so much jealousy by the council of state, resulted in a remonstrance of grievances and petition for the calling of parliament, signed by twelve peers, at the head of whom appeared the important names of Bedford, Hertford, Essex and Warwick. The two first, being called to a conference with the committee of state on the subject, declared that they acted not for themselves alone, but in trust for "many other noblemen and most of the gentry in several parts of the kingdom." A petition of similar tenor received the signatures of ten thousand citizens of London; nor was it in the power of the committee to cause the lord mayor to suppress it. Other petitions from different quarters, but of the same import, were forwarded to York, and some of these the lords Wharton and Howard of Eserick undertook to present to his majesty. By an ill-timed act of power, they were immediately committed to custody, and a council of war was held in which it was proposed, and strongly urged by the lord lieutenant, that they should be shot at the head of the army, as movers of sedition. "Hamilton," we are told, "spoke nothing till the council rose; and then he asked Strafford if he was sure of the army? who seemed surprised at the question; but he upon inquiry understood that very probably a general mutiny, if not a total revolt,

would have followed if any such execution had been attempted[a];" and the lords were liberated:—an anecdote strikingly illustrative of the unfitness of Strafford either for council or military command, in a juncture so critical! Seven years of despotic rule in Ireland had corrupted his judgement as much as it had hardened his heart. It seems that his ancient principles of freedom were so utterly obliterated from his own bosom, as to disable him even from forming a conception of the sway which they exercised over the hearts and minds of others. In the very face of the awful example displayed by Scotland of a whole nation armed against its native sovereign by the wanton tyranny to which it had been subjected, he, like his master, persisted in believing that it was a few evil and turbulent spirits alone who in England impeded the service of the crown by a factious appeal to obsolete privileges and forgotten charters, and that nothing more was requisite than some acts of vigor against these, to reduce the people to entire submission and compel them to lay all their resources at the foot of an absolute prince.

Everything conspired to irritate the spirit of Strafford,—the failure of all his predictions and undertakings, the past successes of the Scotch, their present strength, and the favor with which he saw them received in the very counties of which they held military possession; the profound policy which

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[a] Burnet's *Own Times*, i. 50.

visibly regulated all their movements, and the severe discipline by which all excesses were restrained during their march and in their camp, painfully contrasted with the depredations and insolencies of the ill-paid and mutinous levies of the king, by which the whole country was aggrieved and exasperated; and to crown the whole, the king's demands of men and money encountered in his own Yorkshire, of the devotedness of which he had so often made his boast, by resistance which compelled him to levy by force assessments laid on his own private responsibility; whilst of the army of Ireland, on which he had taught his master to rely, owing to the want of money and other unforeseen obstacles, he had been unable to bring a single man into the field. With a kind of rabid fury, he now assailed without distinction all who surrounded him; his reproach or his menace no one could escape; but his officers, whether innocent or otherwise of the misconduct which he imputed to them, listened to his invectives with more indignation than respect, and the soldiers soon learned by their example to hate their general more than they either hated or feared the enemy.

The nobility evinced no extraordinary alacrity in obeying the summons of their afflicted sovereign; those of them who were petitioners for a parliament being apprehensive that the intended council might be made to serve as a substitute for it. At length however they decided to give their attendance, and about the middle of September a numerous assem-

blage took place. Charles had by this time brought down his mind in some degree to the necessities of his situation, and on their first meeting he declared to the peers, that of his own free will he had summoned a parliament to meet on the third of November,—the earliest day at which the writs would be returnable. Meantime he desired to consult with them on the demands of the Scotch; how much he might with honor grant to those who had with so much boldness invaded England; and for their better understanding and his own justification, he appointed Traquair to make a relation of the occurrences in that kingdom from the beginning. He further required their advice upon the means of finding pay for his army until the parliamentary supplies should come in.

In this extremity the peers of England were not found wanting to the cause of their country. After some debate, it was judged the part of political wisdom to negotiate with the Scotch; and sixteen commissioners, eight earls and eight barons, were appointed to confer with certain delegates from the covenanting army. Ripon was the selected place of meeting; but it was not till the safe-conduct which had been granted them by the king had received the confirmatory signature of the peers, that the rebels, as they had been proclaimed by their sovereign, would consent to hazard themselves within his reach. They firmly refused to dismiss any part of their troops before the conclusion of the treaty; they held military possession of Newcastle

and the whole counties of Northumberland and Durham; and as the sole condition of refraining from plunder and preserving the order and discipline for which they had hitherto been so exemplary, they demanded that regular pay should be issued to them from the royal treasury. This article sounded harshly in the ears of the English, and gave some pause to the negotiations, but it was yielded at length from necessity. Two armies therefore were to be provided for, and the royal treasury being completely exhausted, the peers consented to commission four of their own number to raise a loan in the city of 200,000*l.* for which they pledged their personal security.

It may be noticed, that during the transaction of this business, on occasion of some dispute respecting the choice of a lord-mayor, the king distinctly admonished the committee of state that the city was "to be flattered, not threatened." In order to "sweeten and prepare the minds of men" for a parliament, orders were given for the liberation of "the Buckinghamshire men and others committed for refusing to pay coat and conduct money," and all others imprisoned by warrant of council under circumstances to call forth the animadversion of the house of commons. To the question of Windebank, whether certain petitions and journals of the last parliament formerly seized by him and now demanded back by the clerk of the parliament, should be given up to him, we find the king replying, "Aye, by any means." All thoughts of com-

mitting the presenters of unpalatable petitions were likewise abandoned by the unanimous judgement of the king and his council at York.

We even find Windebank humbly suggesting to his majesty, with an earnest request for the concealment of his name in the business, the expediency of his so writing to her majesty that Rosetti, the papal nuntio, "may be advised to retire into France, or some other foreign part for a while; and that the capuchins may likewise disperse, and dispose of themselves into some places in the country where, when they shall be separated, there may not so much notice be taken of them as there is here. If any insolency," he adds, "should be offered to any of these, I know it would trouble your majesty and the queen; And what a wonder it is they have escaped all this time, considering the malignity of the contrary party, your majesty in your wisdom may judge." But the monarch in his reply, shifts this delicate interference back again upon the secretary, on the plea that he, being on the spot, was a better judge of its necessity!

Strafford himself began to bend his haughty spirit to acts of conciliation towards those whom he had injured the most deeply: The oppressed and plundered earl of Clanrickard thus writes from York to his friend Windebank. "The strangest news I can inform you of is, that my lord lieutenant did invite me to dinner on Wednesday last, but I was so modest as to refuse that honor, and to forbear to trouble his lordship until I find more reality, and

better grounds to profess myself his servant by my attendance upon him; and when the parliament doth sit, the day will come shall pay for all."

Meantime the treaty of Ripon was proceeding with extraordinary deliberation. Delay, in truth, was welcome to both parties. Possessed of excellent winter-quarters in the North of England, and gratified with the sum of 850*l.* per day for the pay of their troops, the Scotch found direct pecuniary advantage in a procrastination which was at the same time calculated to serve the most effectually the further objects which they had most at heart. For the present, they had prevailed over the king in war, and were in a position to exact from him, in words, most, if not the whole, of the rights or concessions for which they had taken up arms. But their armament had been a mighty effort which had drained all the resources of their country; the surrender of Newcastle had alone preserved them from the extremity of famine and distress; and notwithstanding the advantages of their present condition, it could not be doubted that, should the king by any means recover the affections of his English subjects, the country would speedily raise force more than sufficient to expel them. In this case Charles would immediately resume all that he had with so much reluctance conceded, and an unsuccessful resistance would but have riveted their chains. It was only through the intervention of an English parliament, and a strict coalition with the popular and puritanical parties in it, that they could hope

to realize their advantages, and to gain two further objects on which they were obstinately bent,—the punishment of Laud and Strafford, by whom chiefly the king's mind had been inflamed against his Scottish subjects; and the abolition of episcopacy in England, without which, as they willingly persuaded themselves, the presbyterian establishment of Scotland could never be placed beyond the reach of open assault or silent circumvention. To cause the treaty to be adjourned to London, and referred to the consideration of parliament, was therefore with them a principal object.

The English commissioners had reasons of their own for concurring in the same design. It is a remarkable proof how much the king stood alone in the courses which he was pursuing, that amongst the whole sixteen selected from the council of peers for this important negotiation, he could scarcely reckon a single staunch adherent. Some shades of political difference no doubt existed among them, but all were more or less displeased with his invasions of law and liberty, hostile to Laud and Strafford, anxious for a return to parliaments, and zealous for the redress of grievances civil and ecclesiastical.

Between parties thus disposed and thus situated, there could be little difficulty in establishing a mutual understanding. A proposal on the part of the king for the transfer of the conferences from Ripon to York, was rejected by the Scotch in these terms: "We cannot conceal what danger may be appre-

hended in our going to York and surrendering ourselves into the hands of an army commanded by the lieutenant of Ireland, against whom, as a chief incendiary.....we intend to insist, as is expressed in our remonstrance and declaration; who hath, in the parliament of Ireland, proceeded against us as traitors and rebels, (the best titles his lordship in his common talk honors us with,) whose commission is to subdue and destroy us, and who, by all means and on all occasions, desireth the breaking up of the treaty of peace[a]."

If, on the other side, the English commissioners exerted themselves with zeal and promptitude in obtaining a loan from the London merchants, it was plainly rather for the purpose of retaining the Scotch army in England, and in English pay, than with a view to relieving the king from his embarrassments. One of the first objects to which the money was applied, was the purchase of a two months truce from the not unwelcome invaders, and in all probability hopes were at the same time privately held out to them of further eventual remuneration.

Matters being at length thus far arranged, the terms of a final peace were referred by common consent to the approaching parliament, and the Scotch commissioners invited to resume their negotiations in London. It is uncertain whether Charles and the advisers in whom he most confided,

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[a] Rushworth, iii. 1293.

clearly anticipated the fatal consequences to themselves of this transfer; but it is perfectly evident that they had no power to avert it.

All was perplexity, irritation, and wounded pride on the part of the king, and helpless dismay on that of his ministers.

CHAPTER XIX.

1640—1641.

Long parliament—its composition and circumstances.—King's speech.—Treaty with the Scotch resumed.—Journey and reception of their commissioners.—Proceedings of parliament.—King commands the attendance of Strafford, who is unwilling to meet the parliament.—His arrival and impeachment.—Windebank accused—he escapes into France.—Queen countenances him.—Ship-money declared against.—Judges held to bail.—Lord keeper Finch impeached—flies to Holland.—Triumphant return of Prynn, Burton and Bastwick.—Their sentences reversed.—Deprived ministers restored.—Prosecutions of Cosins and Wren.—Laud committed.—Triennial act brought in.—King harangues the commons.—Ill effects of his interference.—He passes the triennial bill.—Attacks on illegal tribunals.—Account of Hyde,—of lord Falkland,—Colepepper,—lord Digby.—Bills passed respecting tonnage and poundage,—for abolition of the star-chamber and high-commission,—for voiding proceedings respecting ship-money,—for restricting forests—abolishing compulsory knighthood—excluding clergy from temporal jurisdiction.

A DETAILED report of the debates and proceedings of the assembly convened on November 3rd, 1640, and known to after-times as the ever-memorable Long Parliament, would much exceed the limits of the present work, from the character of which it would also be a manifest deviation. On this account a correct sketch of their great results, combined with some traits illustrative of the cha-

racters of the king himself and other principal actors on the political scene, and of the manners and sentiments of the age, will alone be attempted.

With respect to the composition of this house of commons, it is proper to observe, that it consisted, for much the greater part, of the same members as the last. On this, as on the former occasion, the electors had in general rejected the candidates recommended by the court, and made choice of those who had most incurred its displeasure by their resistance to acts of power; yet the fact, stated on contemporary authority, that the rent-roll of the house of commons doubled that of the house of lords, sufficiently indicates that property as well as the opinion of the mass of the people was here effectively represented. But if the same men were again assembled together, it was under other circumstances and with other feelings.

It might as truly be said of the last parliament as of the last army, that "it had not been dismissed with so obliging circumstances" as to sweeten the next meeting. During the interval also, much had been done to aggravate, nothing to appease, the general discontent; and the success of the Scotch, with the actual presence of their victorious army in the north of England, added incalculably to the force and courage of their English brethren and allies.

Charles was so far conscious of his altered state, as to assume at once the tone of conciliation and concession. In a speech "gracious and acceptable

to both houses," he told them that "he did now freely and clearly put himself upon the love and affections of his English subjects, desiring them to consider the best way for the safety and security of the kingdom of England; and, in order to it, for the satisfaction of their just grievances; wherein he would so heartily concur, that the world might see his intentions were, to make it a glorious and a flourishing kingdom. In which business he did freely and willingly leave it to them where to begin." Of the Scotch however he spoke with bitterness, calling them "rebels" whom it concerned his own honor and that of England to drive out again. But this term applied to subjects with whom he was in treaty, and whose cause the popular party so generally espoused, gave such high offence, that he thought proper in a second speech, two days after, to qualify it[a].

The commons made it their first business to vote 100,000*l.* to be raised by assessment on the different counties, for the pay of the two armies, and to enter into treaty with the Scotch commissioners, who speedily arrived in London. Along with the commissioners, the chiefs of the covenant judged it expedient to send four of their most distinguished divines; one, to satisfy the minds of the many who preferred "the way of New England," or Independency, to the Scotch presbyteries; two others to combat Arminianism, and, "for the crying down

[a] May's *Hist. of the Parl. of England.*

of the English ceremonies," and all to preach to the commissioners by turns in their own house. The letters of Robert Baillie, one of these divines, supply many interesting and amusing particulars of their journey and abode in London.

Those commissioners who were noblemen, travelled post, "but six of us," says Baillie, "go journey every one of us with an attender on horse." "Divers merchants and their servants" also joined them, the whole mounted on "little nags." The journey, from Durham, occupied eight days, including a sabbath-day's rest at Ware. "Here," says he, we "heard the minister, after we were warned of the ending of the service, preach two good sermons." The way was "extremely foul and deep," and they were at great expenses on the road. "Their inns are all like palaces, no marvel they extortion their guests: For three meals, coarse enough, we would pay, together with our horses, 16*l.* or 17*l.* sterling." At Doncaster he was "content to buy a woven waistcoat." On a fast day immediately after their arrival in London, he and one of his colleagues preached to the commissioners at home, "having no cloaths for out-going."

The commissioners found themselves extremely welcome to the large and zealous party which partook their sentiments, religious and political, and on occasion of the fast, "many ministers used greater freedom than ever here was heard of. Episcopacy itself beginning to be cried down, and a covenant to be cried up, and the liturgy to be

scorned." A petition was already drawn, "from the town of London and a world of men, for the abolition of bishops, deans, and all their appurtenances, but it was thought good to delay it till the parliament have pulled down Canterbury and some prime bishops." "Huge things," he adds, "are here in working. The mighty hand of God be about this great work[a]."

The parliament had indeed commenced its high career of retributive justice with a vigor and celerity surprising to all, and absolutely astounding to those who found themselves exposed to its animadversion. The beginning of this parliament, May observes, "seemed a little doomsday." No less than forty sub-committees were formed, to which all petitions for redress, under the several heads of grievance, civil and ecclesiastical, were to be referred, and after a few days spent in an animated exposition by the leading speakers of the sufferings of the country, and the proper objects of reform, it was resolved that a remonstrance should be drawn up on the state of the nation, the completion of which however was long delayed. In the mean time the house proceeded to deal with the cases of individuals.

Burton, Prynn and Bastwick, on the petition of their friends, were sent for from their island-prisons, that their cases might undergo revision; and similar redress was afforded to Leighton and to Lilburn.

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[a] Baillie's *Letters*, i. 216, 218.

A strict inquisition into projects and monopolies was instituted, and several members were expelled and more voted delinquents, for their share in these oppressions. But all this was no more than the prologue to the extraordinary scenes in preparation.

The position of Strafford at York has been already described. In the court and in the army everything frowned upon him. Either on a public or a private account, he had rendered every one his foe. The earls of Arundel, Essex and Holland, and secretary Vane, were his avowed enemies. The queen, though now conciliated in some measure, had beheld him with jealousy as a man able to stand without her favor and little solicitous to deserve it. Hamilton watched the opportunity of ingratiating himself with his countrymen by circumventing him; and even the friendship of Laud began visibly to cool. The Scotch had openly announced their intention of calling for justice upon him, and he knew that in Ireland he had many foes.

Struck by all these circumstances of peril, the lord lieutenant had earnestly pleaded with the king to suffer him to absent himself from the meeting of parliament; and either to remain with the army in the North, where he believed he had still much power to serve his majesty, or to return to Ireland, where by his personal exertions the long-expected succours might be set in motion. But Charles clung to the counsels of Strafford with that blinded faith which, in moments of perplexity, the feeble-minded repose in the confident: None could be so

fit, he imagined, to assist him in the management of the English parliament, as he who had ruled that of Ireland with so high a hand. Unmoved therefore by his arguments or entreaties he peremptorily commanded his attendance, haughtily declaring, that so long as he was king of England he was able to secure his ministers from all danger, and assuring him under his own hand, that the parliament should not hurt a hair of his head. With a boding spirit the lord-lieutenant rendered obedience to the commands of a master whom he knew too well not to distrust.

Even before the arrival of Strafford in London, a motion had been made in the house of commons for an inquiry into abuses and oppressions in Ireland; and although his name had not as yet been brought in question as their author, it was impossible for him to avoid perceiving that he was menaced with an impeachment. As the only means of warding off this blow, he had come prepared with evidence of a correspondence between certain of the popular leaders in England and the Scotch, supplied by the perfidy of lord Saville, on which he designed immediately to accuse them of high-treason. The duke of Buckingham had preserved himself, in critical circumstances, by a counter-accusation of the earl of Bristol; and a similar expedient, it was imagined, might prove again successful. But it was not with such men or such times that Strafford was called upon to contend. His sagacious adversaries, strong in the support of a house of commons which

the king could not dissolve, had matured their plan without trepidation, as they proceeded to its execution with a promptitude and decision which he himself had never surpassed.

It was not till the night of November 9th, that the lord-lieutenant arrived in London: the next day he gave to repose; on the following morning Mr. Pym gave notice to the house of an intended motion which he requested might be heard and debated with closed doors. This was granted; and when, after an interval of three hours, they were again opened, it was to give passage to the mover, who, issuing forth at the head of a numerous deputation, proceeded to the house of lords, where, in the name of the lower house and of the commons of all England, he impeached Thomas earl of Strafford and lord-lieutenant of Ireland, of high-treason, and required that his person should be immediately placed under arrest. The sequel is thus given in the lively narrative of Baillie.

"The lords began to consult on that strange and unexpected motion. The word goes in haste to the lord-lieutenant where he was with the king: with speed he comes to the house; he calls rudely at the door; James Maxwell, keeper of the black-rod opens; his lordship, with a proud glooming countenance, makes toward his place at the board-head: but at once many bid him void the house: so he is forced, in confusion, to go to the door till he was called. After consultation, being called in, he stands, but is commanded to kneel; and on his

knees to hear the sentence. Being on his knees, he is delivered to the keeper of the black-rod, to be prisoner till he was cleared of those crimes the house of commons had charged him with. He offered to speak, but was commanded to be gone without a word. In the outer room James Maxwell required him as prisoner to deliver his sword. When he had got it, he cries with a loud voice for his man, to carry my lord-lieutenant's sword. This done, he makes through a number of people towards his coach, all gazing, no man capping to him before whom that morning the greatest of England would have stood discovered, all crying, 'What is the matter?' He said; 'A small matter I warrant you.' They replied, 'Yes, indeed, high-treason is a small matter.' Coming to the place where he expected his coach, it was not there; so he behoved to return that same way, through a world of gazing people. When at last he had found his coach, and was entering, James Maxwell told him, 'Your lordship is my prisoner, and must go in my coach,' and so he behoved to do. For some days too many went to visit him; but since, the parliament hath commanded his keeping to be straiter[a]."

Having by this master-stroke of vigor and policy effectually removed from the king's counsels the only man whose enterprises they saw cause to fear, the house appointed a committee to collect and arrange at leisure the articles of his charge, which as

[a] Baillie's *Letters*, i. 217.

yet was only general; and in the mean time proceeded to bring to their bar other delinquents of rank and eminence.

The first of these was sir Francis Windebank, one of the secretaries of state, a creature of the primate's and a concealed catholic, who had rendered himself peculiarly obnoxious by the numerous letters of grace and discharges from prison which he had illegally granted, often on his own authority and at the request of great personages, to recusants and Romish priests. Full proof of these acts being adduced before a parliamentary committee, preparations were making for bringing him to trial, when, on December 4th, information was given that he had fled: A circumstance thus adverted to in a letter from Mr. Aylesbury, then in the train of the earl of Leicester ambassador at the court of France, to his brother-in-law Mr. Hyde.

"You said it was not in the wit of man to save Windebank; and the next day we heard he was at Calais. Whose wit brought him thither I know not; but I am glad the poor creature is safe there, and hope the parliament will not take it ill. He came over in a shallop, and with much hazard. For besides that of so little a boat, it was so great a mist when he passed, that they could not see a boat's length before them. There are come with him some others ..... but though they be here, I pray look better to him in the Tower (lord Strafford), for it concerns us[a]."

[a] *Clarendon State Papers*, ii. 133.

It should appear that the queen openly interested herself in favor of the secretary. The earl of Northumberland writes to lord Leicester, that it is expected he will be received with much honor at Paris; "but your lordship, in my opinion, will do yourself no injury by keeping him at a distance while he remains in those parts; for it cannot be well taken by the parliament to have a fugitive, whom they charge with many foul crimes, to receive favors from the king's ministers abroad." He afterwards informs him, from secretary Vane, that *common civilities* to this offender are all that in his opinion will be expected, and as much as it will be fit for him to pay[a].

Windebank returned to the court after the commencement of the war, but died in exile.

The great question of ship-money being now brought into debate, it was voted by both houses "a most illegal taxation and unsufferable grievance." Charges of high delinquency were advanced against the nine judges who had given extrajudicial opinions in its favor, and they were subjected to strict examinations by a parliamentary committee, and several of them held to bail. Evidence was thus obtained of the undue means employed by lord keeper Finch to elicit these opinions, and in consequence he found himself menaced with an impeachment of high-treason. Placing still a fond reliance in the resources of that quaint and artificial, but

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[a] *Sidney Papers*, ii. 666.

bland and insinuating eloquence, which had served as a principal instrument of his most unmerited advancement, the lord keeper petitioned to be heard at the bar of the house of commons in his own defence.

The prayer was granted; and when this great officer, bearing the seals in his own hand, and depositing them in the chair placed for him within the bar, whilst himself, humbly leaning on the back of it, delivered "with an excellent grace and gesture, a most elegant and ingenious speech, partly a vindication of his conduct, partly a submissive appeal to their feelings and their favor[a]," "many men were moved to a kind of compassion[b]." All his rhetoric failed however to gain him absolution from a sentence eminently just. He was voted guilty by the commons on four charges: Disobeying the house when speaker, in the parliament of 1628, by refusing to put a question at their command: Using threats and persuasions to the judges in the matter of ship-money: Pronouncing illegal and cruel sentences in the forest causes, when chief-justice of the common pleas. And lastly: Drawing that injurious declaration in the king's name, after the dissolution of the last parliament.

On the morrow, when the impeachment was to be carried up to the lords, it was discovered that the lord keeper "had risen the earlier," and prudently withdrawn himself. Favored by a dis-

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[a] Whitelock. [b] May.

guise he passed over without molestation into Holland.

The parliamentary leaders were probably by no means displeased at the escape of these culprits, whose persons they had omitted to attach; once driven from office, such men could never more be formidable; their own thoughts and time were crowded with a multiplicity of more important affairs, and they were bent on vindicating their jurisdiction with more exemplary effect, on the person of that capital traitor to the liberties of his country whom they had now in hold, and against whom three kingdoms were crying aloud for judgement.

The grievances sustained by puritans were not the last to attract the notice of the house, nor were they those which had least exasperated the spirits of men. The return of Prynn, Burton, and Bastwick gave occasion to a memorable display of popular sentiment. They were met and conducted into London in triumphal procession and with mighty acclamations, by no less, it is said, than 5000 persons, women as well as men, on horseback, all wearing in their hats branches of rosemary and bay.

This exhibition, as might be supposed, was viewed with very discordant feelings by the different parties. "Some, both of the clergy, of the court, and other gentlemen did not conceal their dislike of it, affirming that it was a bold and tumultuous affront to courts of justice and the king's authority: Others, who pitied the former sufferings of those men, and they that wished reformation in matters of justice,

were pleased with it, hoping that it would work good effects in the king's mind, and make him sensible how his people stood disaffected to the rigor of such proceedings; and esteemed it as a good presage of the ruin of those two courts, the high-commission and star-chamber[a]." The latter party was probably at this time much the more numerous, and it was certainly the more active and prosperous. The parliament referred the sentences of these persons to committees of revision, who pronounced them unjust, illegal, and contrary to the liberties of subjects; restored the sufferers to their respective professions, and in conclusion awarded them damages against the primate and the other high-commissioners and judges in star-chamber, to the amount of 5000*l.* each to Prynn and Bastwick, and 6000*l.* to Burton.

Other committees, in the mean time, were diligently occupied in administering relief to distressed ministers, imprisoned or deprived by the bishops, and to such laymen also as had undergone persecution by them on religious grounds. Within the course of a few weeks numbers of clergymen of that party which had resisted the late innovations in rites and doctrine, were restored to their cures with damages against their oppressors, whilst those who had been most active in the introduction of them were in their turn called in question, and many of them committed. Dr. Cosins, master of St. Peter's

[a] May.

College Cambridge and prebendary of Durham, a man of irreproachable morals, chargeable with no other delinquency, but who had gone extraordinary lengths in the revival of those ceremonial observances, shows, and decorations, of which the Anglican church had been most careful to disencumber itself at the reformation, was accused, placed under custody for a time, and deprived of some of his preferments.

Wren, bishop of Norwich, who to similar illegalities had added excessive tyranny and cruelty in forcing these innovations upon the reluctant consciences of the puritans with whom his diocese abounded, in consequence of which numbers of useful citizens engaged in the woollen manufactures had been driven for refuge to Holland or New England, was accused of high-treason, and great securities exacted for his appearance. A resolution passed the house declaring the illegality of the late canons, and that a bill should be brought in to punish those concerned in them. Finally, on December 18th, the primate himself, being voted guilty of high-treason by the house of commons, and accused by the Scottish commissioners as a "chief incendiary" between the two nations, was consigned to the usher of the black-rod, and a committee appointed to draw up the particulars of his charge.

Having thus suspended the sword of vengeance over the heads of the principal advisers or perpetrators of the past encroachments upon religion and liberty, the parliamentary leaders, certain of the

support of the nation, proceeded to introduce a measure calculated to add future security to the present redress which it was their determined purpose to exact. This was the act for triennial parliaments, by which their future duration was limited to that term; whilst it was further provided, that the lord chancellor, or lord keeper, should be bound by oath to issue writs for the assembly of a new parliament within three years of the expiration of the old one; that on his failure the peers should meet and direct writs to the sheriffs; that in their default the sheriffs should cause elections to be made, and in case of their neglect, that the electors themselves should proceed to the choice of representatives. Neither was any parliament to be adjourned or dissolved without its own consent until it had sitten at least fifty days.

When it is recollected that all the invasions of right complained of had been carried on under shelter of the long intermissions of parliaments, and that Charles himself had at one period openly declared his purpose of continuing to reign without them,—all in the face of an unrepealed act of Edward III., which gave the people a right to annual parliaments, the justice of this act can as little be questioned as the necessity of it. Nothing however could be more offensive to the pride, or disconcerting to the policy of the king; and in the futile hope that the bare manifestation of his sentiments would serve to divert the commons from this

and other measures on which they were intent, he summoned both houses to the banqueting-house, to listen to a speech which he had prepared.

After a complaint in his usual style of the tardiness of their proceedings in the urgent state of his affairs, when two armies were to be maintained in the country, and some censure of the connivance of parliament which suffered distractions to arise by the indiscreet petitions of men who, "more maliciously than ignorantly, would put no difference between reformation and alteration of government," he assured them however of his willingness to concur in the abolition of all novelties both in church and commonwealth, and in the reformation of courts of justice according to law; as also, to surrender such part of his revenue as should be found illegal, or heavy to his subjects. But having thus, as he said, "set down his intentions," he would show them "some rubs." He could not but take notice of some very strange petitions in the name of divers counties, "against the established government of the church, and of the great threatenings against the bishops, that they will make them to be but cyphers, or at least their voices to be taken away." That if some of the bishops had encroached too much upon the temporality, or should be found to "have some temporal authority inconvenient to the state, and not so necessary for the government of the church and upholding episcopal jurisdiction, he should not be unwilling to desire them to lay it down," but that he would never consent to take

away their voices in parliament, which they had constantly enjoyed under his predecessors from the conquest and even before.

One other rock they were upon, which was indeed a matter of form, but of form so essential, that unless corrected it would mar the substance. There was a bill lately put in concerning parliaments. The thing he liked well, to have frequent parliaments; but to give power to sheriffs and constables, and he knew not whom, to use his authority,—that he could not yield unto. They should however, for their contentment, have a bill for that purpose, so that it trenched neither upon his honor nor the ancient privileges of the crown concerning parliaments. Having thus, as he said, declared his own clear intentions, and warned them what to eschew, he had no doubt of giving them content by the ministers he had, or should have, about him, for carrying his good intentions into effect[a].

This ill-judged interference had the worst results. It was resented by the commons as a breach of their privileges, and the lords joined them in a remonstrance on the subject. The king, in despite of his reluctance, found it necessary, soon after, to give his assent to the bill for triennial parliaments, which was received by the people with every demonstration of joy and triumph; and if the designs against episcopacy were for the present laid aside, the suspension was solely owing to the intervention of the house of lords.

[a] Nalson, i. 735.

This grand security for the permanence of all other reformations being thus obtained, the parliament proceeded to overthrow that whole machinery of arbitrary and illegal tribunals, which had proved so efficacious an engine for the purposes of the subverters of English liberty.

In this patriotic warfare several names afterwards eminent on the royal side attained their first distinction; and of the number is that of Edward Hyde, afterwards lord chancellor and earl of Clarendon, and the historian of the civil war; a person whose character and situation it is of some importance to investigate. From that Life of himself which was perhaps his most valuable legacy to posterity, we learn that he was born in 1609, at Dinton in Wiltshire, the second son of a gentleman of moderate fortune. At the age of fourteen he was sent to Oxford to commence his preparatory studies for the clerical profession. After some time, the death of his elder brother caused a change in his prospects and destination, but it is probable that his youthful mind had already imbibed that principle of zealous attachment to the interests of the church, by which, in after life, he was distinguished above all the other lay politicians of his time, with the exception of the king himself. The vice of drinking was at this period so frightfully prevalent at Oxford, where his elder brother had fallen a victim to it, that Hyde has noted his early removal from the university as "a very good fortune to him," though it seems he "always reserved a high esteem of it." Being now

destined for the law, he was entered of the Middle Temple, under the auspices of his uncle sir Lawrence Hyde, afterwards chief-justice. Polite literature was at his outset more congenial to his taste than the study of his profession, nor was he proof against the seductions of idle and dissipated society; but he redeemed himself from these snares by an early marriage with the daughter of sir George Ayliffe, a lady allied through her mother, who was a St. John, with several noble families. At the end of six months he lost his wife, but he was careful not to let go his hold upon the valuable family connexion to which she had been the means of introducing him, and he particularly attached himself to viscount Grandison, a Villiers, and nephew of the duke of Buckingham, whose death was then recent.

The sister of this young nobleman was that maid of honor whose amour with Henry Jermyn gave occasion to the great court intrigue[a], in which the queen, by the aid of marquis Hamilton, rescued her handsome favorite from matrimony, and at the same time gained a triumph over the declining influence of the Villiers family, or faction. Mr. Hyde was the agent employed by the defeated party to pursue "the design of the reparation" by marriage; a business, as he informs us, which was to be followed "by frequent instances at court, and conferences with those who had most power and opportunity to confirm the king in the sense he had

[a] See Chap. IX. of the present work.

entertained." In the course of it he had "all admission to the persons of alliance to the lady, and so concerned in the dishonor, which was a great body of lords and ladies of principal relations at court, with whom in a short time he was of great credit and esteem." "It introduced him into another way of conversation than he had formerly been accustomed to," and "by the acquaintance, by the friends and enemies he then made, had an influence on the whole course of his life afterwards." Probably, indeed, these were the circumstances which laid the foundation of that hostility to the queen, to Jermyn, and to Hamilton, which is conspicuous in several transactions of Hyde's later life, and in many passages of his writings; and this early initiation into court intrigue doubtless facilitated to him the practice of some arts which afterwards ministered to his political advancement. Yet for the present he was desirous of binding himself down to a domestic course of life, and the practice of his profession, and at the age of twenty-four he contracted a second marriage, and commenced life anew.

We may perceive, amid all these resolutions, that the law never held more than a divided empire in the breast of the future chancellor; he did not go the circuits, and besides keeping up his great acquaintance at court, he made it his pleasure and his pride to cultivate the intimacy of the most distinguished men of their age for genius, wit and learning. The delightful portrait-gallery of the favorite asso-

ciates of his early days, to which he has introduced us, exhibits, amongst others, the figures of Selden, Jonson, Waller, Kenelm Digby, and Falkland; of Hales, Chillingworth, and several other celebrated ecclesiastics, but of a few only of the eminent lawyers of the time. With the rest of the profession, he says that he had "at most a formal acquaintance and little familiarity," very seldom eating in the hall, "without which no man ever got the reputation of a good student."

His introduction to Laud arose out of some applications of the London merchants to the archbishop, in his capacity of first commissioner of the treasury, for the redress of grievances affecting them, in which Hyde had been employed as their counsel and the drawer of their petition. In the very first conference on the business to which he was admitted, he represents himself as having so adroitly ministered to the inveteracy which the primate still cherished against the memory of lord-treasurer Portland, by relating the "haughty expressions" and "indecent rage," against the merchants, and the many threats against himself, which had formerly escaped his lordship concerning this affair, that he seems to have been immediately received into favor. Henceforth, the archbishop spoke of him with kindness, took notice of him whenever he appeared in causes before the council-board, and employed him in collecting subscriptions for the repair of St. Paul's, in which he proved active and successful. These things being taken notice of,

"Mr. Hyde, who well knew how to cultivate those advantages," (the words are his own,) "was used with more countenance by all the judges in Westminster Hall, and the eminent practitioners, than was usually given to men of his years; so that he grew every day in practice."

Amongst the other friends or patrons whose favor helped to give him consequence, he has enumerated lord keeper Coventry, the earl of Manchester, lord privy-seal, and also the earl of Pembroke, lord chamberlain, but "a greater man in the country than the court;" and the earls of Hertford and Essex, brothers-in-law, "whose interests and friendships were then the same," but whom he takes to himself the credit of speedily disuniting by "bringing the archbishop and the earl of Hertford to a very good acquaintance and inclination to each other."

In the short parliament of April 1640, Hyde served for Wooton Basset; and in his first speech he made a vehement attack upon the earl marshal's court, presided over, it may be noted, by the earl of Arundel, the personal enemy of Laud. It was with great truth however that he described it as "a court newly erected, without color or shadow of law, which took upon itself to fine and imprison the king's subjects; and to give great damages for matters which the law gave no damages for." Such, for example, as slight words of disrespect, often highly provoked, against noblemen and their dignities. In the ensuing parliament he returned to

the charge armed with fresh instances of exorbitant oppression, and a committee of inquiry being named, of which he was chairman, this, along with other arbitrary tribunals, was totally abolished.

From the first meeting of the long parliament, Mr. Hyde "laid aside his gown and practice" to devote himself entirely to public affairs. "He was very much in the business of the house; the greatest chairman in the committees of the greatest moment." He presided in that which "considered of the illegality of the court of York," and in that which prepared charges against the judges for their "miscarriages" in the case of ship-money, and in "other cases of judicatory," particularly the decisions against the merchants respecting tonnage and poundage. He was a member of that for inquiring into the jurisdiction of the court of the marches of Wales. In a committee upon a petition against an inclosure of great wastes belonging to the queen's manors without the consent of the tenants, the profits of which she had granted to "a servant of near trust," he became involved in a quarrel with Cromwell, who accused him of a courtly partiality against the petitioners; and this he assigns as the foundation of the "malice and revenge" with which Oliver ever after pursued him. Hyde represents himself at this period as a person evidently independent of the court, and therefore of great authority with a middle party in the house, disposed to support the laws, but already jealous of the further designs of the popular leaders: but in this repre-

sentation there seems to be not a little of the spirit of self-exaltation of which, in his writings, he has given so many other tokens. Public men would not hastily put faith in the independence or disinterestedness of an aspiring young lawyer, known also in court intrigues, who at such a juncture had relinquished his profession for political life; and the patronage of the primate could not well have been sufficiently marked to serve his interests with the judges and great officers of state, without exposing him to suspicion from any moderate and truly independent party. During this first session of parliament, although he appears to have concurred with zeal and activity in those measures for the restitution of civil liberty which were carried, indeed, with perfect unanimity in the house of commons, he offered, from the first, a decided opposition to all measures restrictive of episcopal usurpation.

It was on ecclesiastical questions alone, according to his own statement, that a difference of sentiment existed between Hyde and the friend for whom he has shown himself most solicitous to claim the suffrage of posterity, sir Lucius Cary viscount Falkland, whose character equally merits delineation.

This accomplished person, born about 1610, was the son of Henry Cary, a gentleman distinguished by his literary pursuits, on whom king James conferred the Scotch title of viscount Falkland, and afterwards, in 1622, the office of lord-deputy of Ireland, which he held during seven years. From this circumstance it became the fortune of his

son to be educated in the court and the university of Dublin, "but," says Clarendon, "under the care, vigilance, and direction of such governors and tutors, that he learned all those exercises and languages better than most men do in more celebrated places." About the age of eighteen he came to England, a proficient in French and in the Latin language and authors, but totally ignorant, it seems, of Greek.

The recall of lord-deputy Falkland from Ireland was attended with somewhat of a disgrace at court, the grounds of which are obscure; but the fortunes of his son were secured on an independent footing by the early possession of a plentiful estate, the bequest of his maternal grandfather, chief baron Tanfield. Soon after, the young heir, still under age, secured his domestic felicity by marrying, from motives of pure affection, a lady of extraordinary understanding and exemplary virtues, but of small fortune: A step by which he disconcerted a base and selfish project of his father's,—or, in the language of lord Clarendon and of the age, "committed a fault" against him, and "disappointed all his reasonable hopes and expectations of redeeming his own broken fortunes and desperate hopes in court by some advantageous marriage of his son." For the consequences of this act to his parent, the amiable son expressed the deepest concern, accompanied with offers respecting pecuniary matters of an almost romantic generosity; but in vain; the anger of his father was not to be ap-

peased, and at length, in a kind of despair, the young man transported himself and his wife to Holland, resolving to purchase some military command, and spend the remainder o his life in that profession, to which a spirit of adventure much inclined him. Being disappointed however in this object, he returned to England, determined "to retire to a country life, and to his books," and resolutely renouncing London, the place he loved of all the world for the choice society it afforded him, he gave himself up to the study of Greek.

The death of his father, in 1633, brought him the incumbrance of a title without any accession of fortune to support it; and about the same time, relinquishing his former plan of life, he is said by Wood to have obtained the place of a gentleman of the privy chamber. But he still made frequent escapes to the delightful recess of his own mansion of Great Tew in Oxfordshire, which the vicinity of the university, and the visits of congenial spirits from London, attracted by the munificence he exerted towards many, and the hospitality he extended to all, enabled him to convert into a kind of academy of science and literature. In his earlier days, lord Falkland exercised himself in the composition of verse, and received on that account the encomiums of Waller, Jonson, and other poets. Suckling thus refers to him in his "Session of the poets:"

> "He was of late so gone with divinity
> That he had almost forgot his poetry,

Though to say the truth, and Apollo did know it,
He might have been both his priest and his poet."

It was in fact to points of religious controversy that the studies of his riper years were principally devoted. His mother was a zealot in the Romish faith. In archbishop Laud's account to the king of his province, for the year 1636, lady Falkland is mentioned to have gone in pilgrimage on foot to St. Winifred's Well, with her company, "concealing neither their quality nor their errand," for which act she was committed by the king's order. Her anxiety for the conversion of her son was what first drew his attention to religious controversy, but with a result directly opposite to her hopes and prayers, which he communicated to the world in a learned and excellently reasoned "Discourse of the infallibility of the church of Rome," several times reprinted, and in other tracts on the protestant side. Having thus formed himself to the exercise of private judgement in matters of religion, an inquiring spirit was believed to have carried him on some points of doctrine beyond the pale of any of the established churches even of protestantism. "He was," says Aubrey, "the first Socinian in England: and Dr. Cressy of Merton college, dean of .... [Loughlin] in Ireland, afterward a Benedictine monk, a great acquaintance of my lord's in those days, told me at Sam Cooper's, 1669, that he himself was the first that brought Socinus's books. Shortly after, my lord coming to him and casting his eyes on them, would needs presently borrow

them to peruse, and was so exceedingly taken and satisfied with them, that from that time was his conversion[a]."

In 1672, lord Clarendon, in his "Animadversions upon Mr. Cressy's book entitled, 'Fanaticism fanatically imputed to the catholic church by Mr. Stillingfleet,'" took occasion to charge the author with aspersing lord Falkland with the character of a Socinian. Cressy replied in an "Epistle apologetical," in which he explained this aspersion to have originated in a mistake, from some words used by him concerning Mr. Chillingworth, not lord Falkland, but denied that he meant to impute Socinianism even to him. He adds, "Touching my lord Falkland, I was so far from entertaining a suspicion, and much more from propagating this suspicion to others, that I believe there are scarce three persons besides myself that are so enabled to give a demonstration to the contrary, which was a solemn protestation made by himself to the greatest prelate of England, of his aversion from those blasphemous heresies which had been laid to his charge."

Antony Wood states of lord Falkland, that "while he lived, and especially after his death, he was esteemed by many a Socinian, having been, as 'tis said, strengthened in that opinion by Chillingworth;" but he seems to suppose that he has sufficiently confuted this notion when, besides alluding

[a] Aubrey's *Lives of Eminent Men*, published with *Letters by Eminent Persons of the 17th and 18th centuries*. 2 vols. 8vo. London 1813.

to Cressy's contradiction, he has collected the testimonies of others to his being "a sincere christian" who led a virtuous life, and not "a candidate of atheism." In the end however he observes, that "whether the church of England lost a friend by his death, some have doubted; sure it is, learning herself had a loss."

It may here be mentioned, that the writings of Socinus and his followers had at this time excited so much attention in England, as to have become a subject of great jealousy and alarm to the church. By one of the canons made in that synod over which Laud presided, the importation or printing of "Socinian books," is declared punishable by excommunication, besides the further penalties awarded by the star-chamber against unlicensed printing or importation of books. The clergy were also prohibited on pain of excommunication and deprivation from reading such works, or maintaining such doctrines. "And," it is added, "if any layman shall be seduced into this opinion, and be convicted of it, he shall be excommunicated, and not absolved but upon due repentance and abjuration, and that before the metropolitan, or his own bishop at the least."

Where the avowal of opinion is rendered penal as well as odious, denials and abjurations become anything rather than unequivocal, but to the sincerity of those of lord Falkland we possess a very remarkable incidental testimony. Lord Spencer, writing to his wife in 1643 from the king's trenches before Gloucester, mentions that he had with him

in his quarters Mr. Chillingworth, who was there to try the effects of certain machines which he had devised for the attack of fortifications, and which he had been commanded to make ready with all possible speed. "It is not to be imagined," adds his lordship, "with what diligence and satisfaction (I mean to himself) he executes this command; for my part, I think it not unwisely done of him to change his profession, and I think you would have been of my mind, if you had heard him dispute last night, with my lord Falkland, in favor of Socinianism; wherein he was by his lordship so often confounded, that really it appears he has much more reason for his engine than for his opinion[a]."

In 1639, Falkland was engaged in the expedition against the Scotch; and Cowley, in a poetical *votum* for his safe return, took occasion to celebrate his universal knowledge of science and art, combined with the avocations of the statesman and courtier, in strains which, with something of hyperbole, still convey the impression of high admiration and sincere esteem. The piece ends with a just and natural sentiment, to which, in the sequel, events gave the character of an evil presage.

"He is too good for war, and ought to be
As far from danger as from fear he 's free.
Those men alone, and those are useful too,
Whose valor is the only art they know,
Were for sad war and bloody battle born,
Let them the state defend, and he adorn."

[a] *Sidney Papers*, ii. 669.

Lord Falkland sat both in the short parliament of 1640, and in the succeeding one. The strength of his opposition-politics may be sufficiently gathered from an enumeration of the topics on which he delivered, during this first session, speeches which he afterwards printed. These were,—concerning uniformity, containing severe reproaches against the bishops, afterwards much quoted by the presbyterians,—against ship-money,—against lord keeper Finch and the judges,—and one concerning episcopacy; which he desired to see modified but not abolished. In the private life of this accomplished nobleman, appears to have been exhibited that union of high integrity and virtuous conduct with learning and talents, and the munificent patronage of them in others, which most dignifies an exalted station; and in eulogizing his wit, his vivacity, his ready and powerful eloquence, his biographers have observed that they were tempered with a rare modesty and candor. His conduct as a statesman will be a subject of future consideration.

Sir John Colepepper, who like lord Falkland afterwards went over to the court and took office, presented, in his capacity of knight of the shire for Kent, various petitions on the popular side, and supported them in speeches of great force and ability. Lord Digby, son of the earl of Bristol, followed a similar course as member for the county of Dorset; and many courtiers and placemen declared themselves on the same side. On the whole it evidently appears, that the cry for redress of

grievances and restitution of constitutional rights was at this time so loud and unanimous throughout the country, that no member of the lower house, whatever might be his private interests or wishes, could venture to give the court the benefit even of his neutrality with respect to the surrender of its more flagrant usurpations. The following important acts now passed the commons in succession.

One for granting tonnage and poundage to the king, prefaced by a declaration, that such dues could only be levied by consent of parliament, and concluding with a denunciation of the penalties of a premunire against all such as should either pay or receive these dues without its sanction.

A bill for the total abolition of the court of star-chamber; and for taking away all similar jurisdiction from the president and council of the Welsh marches, the president and council of the North, and the courts of the duchy of Lancaster and the county palatine of Chester; also for giving speedy redress by *habeas corpus* to all persons committed to prison by any of these courts, or by warrant of the council-board or any of the privy-councillors.

A bill for repeal of the high-commission, and for taking away for ever from all archbishops, bishops, and other commissioners ecclesiastical, all power to fine, imprison, or inflict any kind of corporal punishment upon any of his majesty's subjects.—Thus was left to the church, according to the expression of bishop Williams on another occasion, "nothing but its old rusty sword of excommunication."

A bill for declaring unlawful and void all the proceedings respecting ship-money.

A bill for the certainty of forests, restraining them to their known limits in the time of king James, and annulling all subsequent proceedings against any persons as for encroachments or trespasses beyond those limits.

A bill to prevent vexatious proceedings with respect to knighthood.

A bill for disenabling all persons in holy orders from exercising any temporal authority or jurisdiction,—by which they were excluded from the privy-council and from the commission of the peace.

To these and other acts the king gave his assent in the month of July; the last mentioned being the only one which had encountered any considerable opposition in the house of commons.

During the whole intervening time, an intense political ferment was kept up in the country by various transactions and events, which will form the topics of the ensuing chapter.

CHAPTER XX.

1641.

Trial of the earl of Strafford.—The king's speech to parliament in his behalf.—Pym announces the existence of plots against the parliament.—The protestation.—The Straffordians.—Petitions for justice on lord Strafford,—his attainder passes both houses.—The king consults his council and bishops.—Strafford's letter to him,—he signs the warrant,—writes to the lords in Strafford's favor,—their answer.—Behaviour of Strafford,—his death.—Exultation of the people.—Letters of lord Leicester to lord Northumberland.—Negotiations for admitting popular men to office.—Earl of Bedford.—Earl of Essex hostile to Strafford.—Testimony of privy-councillors against Strafford.—Plots detected.—Plan for Strafford's escape.—Army plot.—Letter of Father Philip.—The conspirators fly,—some are apprehended.—Account of Goring.—Effects of the plot.—Bill for the continuance of parliament.—Mary de' Medici quits England,—her death.—Self-banishment of the earl of Arundel.

THE trial of lord Strafford was now the absorbing object of attention throughout the British dominions. Besides the interest of the event itself, enhanced by the eminent abilities and striking qualities of the man, his rank and station, his dignified deportment, and the leading parts which he had sustained in the affairs of three kingdoms, his condemnation or acquittal was seen to involve the momentous question of the responsibility of ministers of state to the

commons of England for transgressions of the laws authorized by the royal sanction or command.

Charles, who had yielded, almost without a struggle, to the overthrow of his whole machinery of prerogative government, was now seen to rouse himself from his stupor, and to search anxiously around for any means of averting an event fatal at once to his interests, in his own view of them, and his honor.

Let it once become established by the sentence of the highest court of judicature in the kingdom, that the mandate of power was not to be pleaded against the charters of the land, and his darling character of an absolute monarch was irretrievably lost. Let a minister once fall by the sentence of that parliament which he had so emphatically assured him "should not hurt a hair of his head," and his credit as a man was forfeited for ever.

The parliamentary leaders, equally sensible of these consequences, were resolutely bent, on their parts, to spare no efforts, and omit no vigilance calculated to insure the success of the great and conclusive assertion of jurisdiction which they meditated. Personal feelings cooperated with their political views. "I cannot forbear mentioning," writes the earl of Northumberland at this juncture to the earl of Leicester, "the hasty and violent proceedings the other day against my lord lieutenant, and I fear he will be prosecuted with as much eagerness as ever man was, for a greater and more universal hatred

was never contracted by any person than he hath drawn upon himself[a]."

The articles of accusation were completed about the end of January, when the presence of the prisoner was required in the house of lords. "He came from the Tower," says Baillie, "by water, with a guard of musqueteers, the world wondering, and at his going out and coming in cursing him to his face. Coming into the higher house, his long charge in many sheets was read to him: for a while he sat on his knees before the bar; thereafter they caused him to sit down at the bar[b]."

A month was the period required by the accused to put in his answer, which was at first refused as excessive, but afterwards even extended by the influence of the king with the house of lords, to the great dissatisfaction of the managers of the impeachment, who had by this time received intimations of various intrigues, and particularly of a plot at court for bringing up the royal army in the North to overawe the proceedings of parliament.

March 21st was the day at length fixed for the commencement of the trial. Westminster Hall was fitted up for the occasion, and the earl of Arundel named lord high steward. The lords temporal alone sat as judges, the bishops having submitted, though with a protest, to the canon by which spiritual persons were forbidden to vote in cases of blood. The commons attended as accusers, the Scotch commis-

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[a] *Sidney Papers*, ii. 663. [b] Baillie's *Letters*, i. 240.

sioners, and a deputation of Irish noblemen and gentlemen of the pale as parties interested; many of the gentry, the peeresses, and a gallery full of other females, as spectators. Two closets were contrived from which the queen and royal family, the court ladies, several French noblemen, and what was highly indecorous, and even unconstitutional, the king himself, witnessed the proceedings. These closets were provided with screens of tapestry, at the request, it is said, of the lords, to conceal the presence of the king; but, according to Baillie, he "brake them down with his own hands, so they sat in the eyes of all; but little more regarded than if they had been absent, for the lords sat all covered." The king took regular and ample notes of the proceedings, as did most of the members of both houses. Strafford answered at the bar; the accusation being chiefly conducted by those two able lawyers Glynn and Maynard, though every member of parliament had liberty to speak, and many took part as they saw occasion.

On the first day, the impeachment was read, consisting of twenty-eight articles, to which he put in, says May, "a very large, accurate, and eloquent answer," introduced by a preamble reciting all the good service he had done to the crown and country during the time of his employment, which produced a great effect on many minds, especially before the particulars of evidence were entered upon, which disclosed "many foul misdemeanors." "Every day the first week, ... without intermission, the earl

was brought from the Tower to Westminster Hall, and arraigned many hours together; and the success of every day's trial was the greatest discourse, or dispute, in all companies. For by this time the people began to be a little divided in opinions; The clergy in general were so much fallen into love and admiration of this earl, that the archbishop of Canterbury was almost quite forgotten by them. The courtiers cried him up, and the ladies .... were exceedingly on his side. It seemed a very pleasant object to see so many Sempronias .... with pen, ink and paper in their hands, noting the passages, and discoursing upon the grounds of law and state. They were all of his side; whether moved by pity, proper to their sex, or by ambition of being thought able to judge of the parts of the prisoner. But so great was the favor and love which they openly expressed to him, that some could not but think of that verse,

> 'Non formosus erat, sed erat facundus Ulysses,
> Et tamen æquoreas torsit amore deas.'[a]"

The account given by Madame de Motteville of these transactions from the lips of Henrietta is amusingly characteristic. "The king," says she, "from weakness consented to Strafford's impeachment. His defence produced a great impression in his favor; he was ugly, but had a very agreeable person, and the queen stopped to tell me that he

[a] May's *Hist. of the Long Parliament.*

had the finest hands in the world. Both the king and queen tried all means to save him. The queen had daily interviews with the most seditious, whom she secretly admitted at night by back stairs, and, confiding in none, met them alone, with a candle in her hand; she offered them every thing to save him, but in vain. She gained over lord Digby, who, passing from one extreme to the other, made a fine harangue, which would have saved him, if the parliament had had ears for reason or hearts for justice."

The charge made against Strafford, far too voluminous to be here reported in detail, was in the main that of a systematical endeavour to subvert the fundamental laws of the state, and establish in their place an arbitrary power; and it branched out into the following principal heads:—The illegal powers which he had procured to be inserted in his commissions as president of the North and lord lieutenant of Ireland, and the oppressive and arbitrary authority which he had exerted, especially in the sister island, over the properties and even the lives of men; and here were stated the cases of lord Mountnorris, lord chancellor Loftus, and others. —His malicious endeavours to stir up hostility between England and Scotland, comprehending his inciting the king to renew the war after the pacification, the unlawful oath imposed by him on the Scotch in Ireland, and his threat of extirpating them root and branch out of that kingdom.—His declaration to the king in council, that in case the par-

liament should not supply his majesty's necessities, he would serve him in any other ways.—His levying, on his last return to Ireland, an army of 8000 foot and 1000 horse, mostly papists, which he had traitorously conspired to employ for the ruin and destruction of his majesty's English subjects, and the alteration and overthrow of the fundamental laws of the kingdom.—His joining with the archbishop of Canterbury and others in advising the dissolution of the last parliament, and telling his majesty that he was now absolved from all laws of government, and justified before God and man in taking supplies from his subjects against their will; and offering his Irish army to be employed in reducing the English people.—His being the author of the royal declaration against the late parliament, full of malicious invectives and false and scandalous aspersions upon them.—His causing the sheriffs of several counties to be sued in the star-chamber for refusing to levy ship-money, and violently threatening the lord-mayor and aldermen of London for declining to give their assistance in the levy of the loan, and of ship-money.—His suggesting the counsel of seizing the bullion in the Mint and debasing the coin, and seeking to overawe the merchants, when they made their complaints, by referring to the collecting of money by military force in France and elsewhere.—His having actually made a levy by his own authority upon his majesty's subjects in Yorkshire, for the maintenance of the trained bands, and caused it to be collected by such force.

Two charges of a different nature were also brought; one of which, accusing him of undue favor to the Roman catholics, was abandoned by the conductors of the impeachment. The other, relating to corruption in pecuniary matters, fixed upon him the guilt of arbitrarily enhancing the rates of the customs in Ireland, which he farmed for his own profit; and of obtaining for himself illegal monopolies of tobacco and of linen yarn, which he carried into effect, particularly the last, by a set of regulations which bore hard upon the unfortunate peasantry, and were enforced with barbarous rigor.

If in this accusation offences of very different characters and degrees were blended together, it is not doubted to be the right of the house of commons in proceedings of this nature so to blend them; and for the purpose of fixing upon the prisoner the guilt of a design to subvert the fundamental laws of the state, it was important to give in evidence the furious, iniquitous, and tyrannical acts, and even the words of scorn and menace, by which he had most plainly evinced his contempt for all laws restrictive of the will and pleasure either of himself or his master. But it could not be pretended that all, it might be doubted whether any one, of these speeches or actions amounted of itself to the specific crime of high-treason under the statute of Edward III., and this circumstance gave a signal advantage to the earl in his defence. It enabled him to convert a just indignation in the bosoms of many, into compassion, by exhibiting himself in the

character of a decried and persecuted man, whom it was intended to oppress and destroy by all methods, or on any pretext which offered.

In other respects, his eminent boldness and ability gave him an air of superiority to the difficulties of his situation, very capable of being mistaken for a sense of injured innocence. "The earl," says Clarendon "behaved himself with great show of humility and submission; but yet with such a kind of courage as would lose no advantage; and in truth made his defence with all imaginable dexterity; answering this and evading that, with all possible skill and eloquence; and though he knew not till he came to the bar, upon what parts of his charge they would proceed against him, or what evidence they would produce, he took very little time to recollect himself; and left nothing unsaid that might make for his own justification."

After the trial had endured to the 10th of April, and the prisoner had made his personal answer during fifteen days, the commons came to the resolution of changing the form of proceeding from a judicial to a legislative one; and a bill of attainder was brought in, under which he was voted guilty of high-treason by a majority of 204 to 59. The parliamentary leaders appear to have availed themselves of this expedient, for the double purpose of preceding and setting an example to the lords, and of avoiding the reproach and mischief of straining by constructions the old statute of treasons, which had so often proved the protection of the subject;

preferring to exert their undisputed, though invidious privilege, of condemning public delinquents by a kind of *ex post facto* law. To the peers it made no difference; for they proceeded nevertheless, and finally voted, as on an impeachment, Not a bill; but to the king the change could not be otherwise than distressing in a high degree. It required him to be active instead of passive; and compelled him to take the alternative either of granting the royal assent contrary to his word and his conscience, or refusing it to the hazard, if not the total ruin of his affairs.

It was after the bill of attainder had passed the house of commons that Charles again pledged himself to the protection of his minister in the following memorable letter.

"Strafford,

"The misfortune that is fallen upon you by the strange mistaking and conjuncture of these times being such that I must lay by the thought of employing you hereafter in my affairs; yet I cannot satisfy myself in honor or conscience without assuring you, now in the midst of all your troubles, that upon the word of a king, you shall not suffer in life, honor, or fortune. This is but justice, and therefore a very mean reward from a master to so faithful and able a servant as you have showed yourself to be; yet it is as much as I conceive the present times will permit, though none shall hinder me from being

"Your constant, faithful friend."

"Whitehall, April 23rd, 1641."

The peers after a severe struggle, by 26 voices to 19, voted lord Strafford guilty on two or three of the most material articles of the charge; and the judges had unanimously concurred in the opinion that upon those articles he "did deserve to undergo the pains and penalties of high-treason by law," when Charles, catching at a frail hope, sent for the commons to the house of lords, and in a short speech made an effort to persuade them into a kind of compromise by which the life of the earl, though not his honor, would be preserved.

It is unfit for me, he said, to argue this business, but I must tell you three great truths which nobody can know so well as myself. "1. That I never had any intention of bringing over the Irish army into England, nor ever was advised by anybody so to do. 2. There never was any debate before me, neither in public council nor at private committee, of the disloyalty and disaffection of my English subjects, nor ever had I any suspicion of them. 3. I was never counselled by any, to alter the least of any of the laws of England, much less to alter all the laws; Nay, I must tell you this, I think nobody durst ever be so impudent to move me in it, for if they had, I should have put a mark upon them, and made them such an example, that all posterity should know my intention by it; for my intention was ever to govern according to the law and no otherwise.

"I desire to be rightly understood; I told you in my conscience I cannot condemn him of high-

treason; yet I cannot say I can clear him of misdemeanor; therefore I hope that you may find a way for to satisfy justice and your own fears, and not to press upon my conscience. My lords, I hope you know what a tender thing conscience is. Yet I must declare unto you, that to satisfy my people I would do great matters. But in this of conscience, no fear, no respect whatsoever, shall ever make me go against it. Certainly I have not deserved so ill of the parliament at this time, that they should press me in this tender point, and therefore I cannot expect that you will go about it.

"Nay, I must confess, for matter of misdemeanor, I am so clear in that, that though I will not chalk out the way, yet let me tell you, that I do think my lord of Strafford is not fit hereafter to serve me or the commonwealth in any place of trust, no not so much as to be a high constable. Therefore I leave it to you, my lords, to find some such way as to bring me out of this great strait, and keep yourselves and the kingdom from such inconveniences."

The remarks of the imprisoned Laud on this speech, and its results, merit transcription. "This displeased mightily, and I verily think it hastened the earl's death. And indeed to what end should the king come voluntarily to say this, and there, unless he would have abode by it, whatever came? And it had been far more regal to reject the bill when it had been brought to him, (his conscience standing so as his majesty professed it did,) than to

make this honorable preface, and let the bill pass after[a].".

To these observations it may be added, both that the king's interference with a passing bill was a gross breach of privilege, and that of the three "great truths" of his majesty's speech, there was not one which was uncontradicted either by good testimony or by the facts themselves. His assertion of the constant intention entertained by him from the beginning of governing according to law, might even have been taken by the parliament for an insult upon their understandings, and was certainly ill-adapted to induce any man to favor him in the conscientious scruples which he thought proper to plead.

The commons, on returning to their own house immediately adjourned, and on their next meeting, Pym alarmed them with an announcement of the discovery of many intrigues and dangerous designs both at home and abroad, and especially of a plot "to disaffect the army to the parliament," and bring it up from the North to overawe their proceedings; also of a design upon the Tower and for lord Strafford's escape, and of an intended descent of the French upon Portsmouth in furtherance of these machinations. He stated that "persons of eminency about the queen" appeared to be deeply implicated, and moved that his majesty be requested to shut the ports, and to give orders that no person attending on himself, the queen, or the prince, should

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[a] Laud's *Trial and Troubles*, p. 176.

quit the kingdom without license of his majesty by the humble advice of parliament. After serious debate on these matters, the house resolved to enter into a protestation for the defence of his majesty's person, the protestant religion, the power of parliaments, and the rights of subjects; and a message was sent to the lords desiring their concurrence in these measures of precaution, and in conducting examinations into the plot. The alarm being thus given to the people, seditious crowds beset both houses of parliament; the names of the fifty-nine members who had voted for the acquittal of the lord lieutenant were posted up, under the designation of "the Straffordians, the betrayers of their country;" vehement petitions were presented to the lords for the speedy execution of justice upon him, as the only means of securing the peace of the country; and the peers found it necessary to claim the interposition of the commons to appease and disperse the menacing multitudes by which their house was surrounded. They also, with the exception of the lords Southampton and Roberts, took the protestation previously taken by the lower house.

Under these circumstances a message was sent on May 8th by the lords to the commons, that they had passed the bill of attainder without any alteration; and the commons in return requested the lords to join them in moving his majesty to give it his immediate assent. The harassed king summoned a privy-council, at which several judges and bishops

attended, to whom, and afterwards to the bishops separately, he propounded his doubts and scruples. A variety of conflicting statements exist with respect to the advice given to their sovereign on this trying occasion by different distinguished members of the episcopal order; especially Usher, Williams, and Juxon. But were it even practicable to ascertain the truth, in a matter so secret in its own nature, and obscured besides by the efforts of partial friends and biographers, each striving to shift off blame from the object of his own predilections,—it would be, as respects the character of Charles himself, of no moment. He who asks counsel whether or not he shall sacrifice his honor and his conscience to the exigency of his affairs, has already decided the question, and only seeks the aid of some friendly hand to draw the robe of decency around his fall.

Immediately after that ill-judged appeal to the house of commons by which, in the opinion of many, Charles sealed the doom of Strafford, he had received from him a letter fitted, and perhaps designed, to fortify his repugnance to concurring in a fatal sentence. In this piece, the fallen minister, after an affecting expression of the conflict with the love of life which the surrender had cost him, solemnly releases the conscience of the king from the obligation of his promise, and beseeches him to preserve both himself and the country from impending evils by passing the bill; pointedly adding; "My consent shall more acquit you herein to God

than all the world can do besides; to a willing man there is no injury done."

The offered sacrifice was at once accepted; the king signed a commission to give the royal assent to the bill, saying at the same time with tears, that my lord Strafford's condition was more happy than his own.

On the following day, moved by the anguish of his mind to a last effort, he sent to the house of lords, by the hands of the prince of Wales, the following appeal. "I did yesterday satisfy the justice of the kingdom, by passing the bill of attainder against the earl of Strafford; but mercy being as inseparable and inherent to a king as justice, I desire, in some measure, to show that likewise, by suffering that unfortunate man to fulfil the natural course of his life in a close imprisonment; yet so that if ever he make the least offer to escape, or offer directly or indirectly to meddle in any sort of public business, especially with me, either by message or letter, it shall cost him his life without further process.

"This, if it may be done without the discontentment of my people, will be an unspeakable contentment to me." He proceeds to request that the lords would endeavour by conference to reconcile the commons to such a course, adding, "I will not say that your complying with me in this my intended mercy, shall make me more willing, but certainly it will make me more cheerful, in granting your

just grievances. But if no less than his life can satisfy my people, I must say, *fiat justitia.*"

A postscript susceptible of various constructions was appended: "If he must die, it were charity to reprieve him till Saturday."

The lords, "after serious and sad consideration," determined on sending twelve of their number to represent to his majesty, that neither request could without imminent danger to himself and all the royal family be granted; softening however their denial with the intimation that they designed to be suitors to his majesty for favor to the children of his lordship.—The king on this desisted from his plea.

On receiving the fatal, and, as it appears, unexpected tidings that his master had given him up, Strafford, in some dismay asked again, whether it indeed were so; then rising from his seat, his eyes cast to heaven and his hand upon his heart, he pointed himself the moral of his story by the text, "Put not your trust in princes, nor in the sons of men, for in them there is no salvation[a]."

Upon the following morning Strafford submitted to his sentence on Tower Hill, with a courage, a composure, and a meekness, worthy of a better man in a better cause. But the hatred of the people, inflamed both by true and false alarms, was neither to be appeased by his magnanimity, nor even extinguished in his blood; it broke forth in manifesta-

[a] Sanderson's *Complete History*, p. 421.

tions of a ferocity alien to the national character, and prompted unworthy exultations over the fallen foe. "In the evening of the day wherein he was executed," says a contemporary, "the greatest demonstrations of joy that could possibly be expressed, ran through the whole town and countries hereabout; and many that came to town on purpose to see the execution, rode in triumph back, waving their hats, and with all expressions of joy, through every town, they went crying, 'His head is off, his head is off!' and in many places committing insolencies upon, and breaking the windows of those persons who would not solemnize this festival with a bonfire[a]."

The earl of Strafford was cut off in the forty-eighth year of his age; his children were exempted from the legal effects of his attainder, and his son succeeded, in consequence, to his honors and estate.

Having surveyed the progress and event of this memorable trial, we must now look back, to resume the general thread of events, marking in our way those which had most influence in deciding the fate of the proscribed minister.

From the first meeting of the parliament, it had been perfectly evident to statesmen that the king would find himself under the necessity of yielding on many and important points. Immediately after the committal of Strafford, we find lord Northum-

[a] Warwick's *Memoirs*, p. 164.

berland writing to lord Leicester thus: "The king is in such a strait, that I do not know how he will possibly avoid, without endangering the loss of the whole kingdom, the giving way to the remove of divers persons, as well as other things that will be demanded by the parliament. After they have done displacing some of the great ones, they intend to endeavour the displacing H. Jermin, Newcastle, and Watt Montague. If these designs of reformation do succeed, we shall suddenly see many changes in this court." In this state of things he proposes to his friend to make interest for some of the places about to be vacated; soon after, however, he writes again, that the king, queen and the court "are confident that these things will come to nothing," and it is therefore too soon to move in any particular suit.

In another letter, of Dec. 10th, this lord relates that on his urging his majesty to make lord Leicester secretary of state in the place of Windebank, his suit had been coldly received, he himself having incurred his majesty's displeasure, because he will not *perjure* himself for the lord lieutenant; but adds, that he is resolved to try what he can do by parliament, if he see "a likeliness of failing the other way," and by *one* of these he confidently believes that Leicester shall either be made secretary or go into Ireland. The latter appointment, in fact, lord Leicester soon after obtained, and against the wishes of the king. In one of these letters, Northumberland mentions that the earl of Bedford is "in so

good estimation with parliament," that he verily believes he will be lord-treasurer[a].

From these passages the important inference to be drawn is, that men of the popular party who at this time either actually accepted office, or entered into negotiations with that view, are not therefore, without further proof, to be regarded as deserters from their principles or party. The king was compelled, by the difficulties of his situation, to make overtures to those who possessing an interest with the parliament were *therefore* able to serve him; and it is even manifest that some individuals must have made their own terms with him. Thus Oliver St. John, a man noted both for his parliamentary opposition to prerogative, and his resistance of the payment of ship-money, mitigated in no degree, on becoming solicitor-general, the vehemence with which he had pursued the life of Strafford. Of the seven popular peers whom the king at this time reluctantly admitted into the privy-council at the instance of marquis Hamilton,—Bristol, Essex, also made lord chamberlain, Bedford, Hertford, Mandeville, Saville and Say, several,—notwithstanding the jealousy to which they found themselves exposed on the part of their old friends, preserved both their adherence to parliament and their hostility to Strafford.

That Charles at one period entertained the idea of making Bedford treasurer, and Pym chancellor

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[a] *Sidney Papers*, ii. 663—665.

of the exchequer, and distributing other offices amongst the other parliamentary leaders, including Hampden and Hollis, there is the conclusive testimony of Whitelock; but we must demur to Clarendon's statement, that they had consented to come in on the terms of saving Strafford's life, and securing to the king an independent revenue; and that the death of Bedford alone disconcerted the plan[a]. Heylyn's opposite account, that the king changed his mind and broke off the treaty, appears at least equally probable in itself; and it is more consistent with Clarendon's own statement, that few of the political allies of Bedford, without whom he was not desirous of coming into office, "thought their preferments would do them much good, if the earl were suffered to live[b]." That Bedford had remained intractable on this point, is confirmed by the statements of Laud, who, though a prisoner, was doubtless well informed of the state of parties and affections; and who has bitterly adverted to the death of this peer in the following passage. "His mishaps," speaking of Strafford, "in this last action were, that he groaned under the public envy of the nobles, served a mild and gracious prince, who knew not how to be, or to be made great; and trusted

[a] Clarendon has affirmed, that *after Bedford's death* the hope of being made lord-treasurer induced lord Say to undertake to the king to save the life of Strafford; but it was surely then too late, for the death of Bedford preceded that of Strafford by only two days.

[b] *Hist. Rebellion*, i. 372.

false, perfidious, and cowardly men in the northern employment..... The earl being thus laid low, and his great services done in Ireland made part of his accusation, I cannot but observe two things: The one, that upon Sunday morning before, Francis earl of Bedford (having about a month before lost his second son, in whom he most joyed,) died, the small-pox striking into his brain. This lord was one of the main plotters of Strafford's death: And I know where he with other lords, before the parliament sat down, resolved to have his blood. But God would not let him live to take joy therein, but cut him off in the morning, whereas the bill for the earl of Strafford's death was not signed till night, &c.*"

The earl of Hertford was at this time advanced to the dignity of a marquis; and he not only himself cordially concurred in the king's desire to save Strafford, but according to Clarendon, made an effort to bring into the same measure a nobleman powerful enough to be sought by the solicitations of both parties,—the earl of Essex. Mr. Hyde was afterwards himself commissioned, and as he says by the earl of Bedford, to argue the same matter with Essex; but to his representations of the practicability of taking from Strafford all power of mischief, without touching his life, the earl "shook his head and answered, 'Stone-dead hath no fellow:' That if he were judged guilty in a premunire, according

* Laud's *Troubles and Trial*, p. 177.

to the precedents cited by him, or fined in any other way, and sentenced to be imprisoned during his life, the king would presently grant him his pardon and his estate, release all fines, and would also give him his liberty, as soon as he had a mind to receive his service; which would be as soon as the parliament ended." On another occasion, when Mr. Hyde renewed the subject, by pleading the hardship of pressing the king to do that which he declared to be against his conscience, he asserts that Essex replied, "That the king was obliged in conscience to conform himself and his own understanding to the advice and conscience of his parliament[a]."

We have seen the statement of the earl of Northumberland, that the king desired him to perjure himself for the lord-lieutenant; a fact which deserves elucidation. In order to substantiate some of their gravest charges against the prisoner, the parliament had extorted from the king an order to the members of his privy-council to answer interrogatories, their official oath of secrecy notwithstanding. Northumberland, as lord-admiral and one of the committee of eight for Scotch affairs, had shared in the most important deliberations, and his testimony was to the following effect: That in the committee, his majesty being present, lord Strafford had said, that in case of necessity, and for the defence and safety of the kingdom, if the people do refuse to supply the king, he is absolved

[a] *Hist. Rebellion*, i. 424 et seq.

from all rules of government; that everything is to be done for the safety of king and people, and his majesty would be acquitted before God and man.—It appeared from other witnesses, that these words were spoken after the dissolution of the last parliament, on the question of finding means and money to carry on war against the Scotch. Lords Bristol, Holland, Newburgh and others, deposed to the same or similar expressions; lord Cottington pleaded defective memory; but secretary sir Henry Vane testified to the words as addressed to the king, with the fatal addition: "You have an army in Ireland which you may employ here to reduce this kingdom." On re-examination, the earl of Northumberland denied having heard these words; and they rested on the sole recollection of Vane, till his son, in searching for family papers in his father's repositories, found a memorandum made by him on his return from that meeting of council, in which this advice of lord Strafford's was recorded. This conclusive document, the zeal of the younger Vane impelled him to place at the disposal of Pym, by whom it was carried to the committee of impeachment. By lord Digby, a member of that committee, in token of the sincerity of his conversion to the court, in which Henrietta gloried, this paper seems to have been conveyed away; at least, a copy of it in his hand-writing was afterwards found in the king's cabinet, taken at Naseby; but Whitelock, who had charge of the papers of the committee, is not clear from suspicion of connivance. The fraud,

by whomsoever committed, was unavailing. The charge was believed, and it was one of those articles on which the judges and the house of lords held Strafford deserving of the death of a traitor[a].

The committee appointed to investigate the conspiracies against the parliament and the people which had been denounced by Pym, was speedily enabled to lay before the legislature not only certain evidence of the existence of several dark and dangerous designs framed by military officers and favorite courtiers, but of direct encouragement lent to such machinations by the queen, and even by the king himself. The plot appeared to have three branches, with as many distinct objects: To secure the Tower; to engage the army; and to introduce foreign troops. Sir John Suckling was a prime agent. On pretence of raising troops for Portugal, he had assembled a hundred men, and given the command of them to captain Billingsley, who confessed that he had received orders, at the privy lodgings Whitehall, to march with them into the Tower; and it appeared that a royal warrant was directed to sir William Balfour, the lieutenant, to admit them, which however this officer was so true to the cause of the parliament and of his Scottish countrymen as to disobey. Balfour, being examined, stated further, that lord Strafford had attempted to prevail upon him by the offer of 22,000*l.* in hand

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[a] See *Earl of Strafford's Trial*, by Rushworth: Articles XXII. and XXIV.

and a good marriage for his son, to favor his escape; telling him that he should have for his indemnity the king's warrant directing him to remove his prisoner to some distant castle; and that on the road he would find opportunity to slip away. It was in consequence of Balfour's refusal to concur in this scheme, that recourse was had to the expedient of introducing Billingsley and his men into the Tower, in order to rescue Strafford; and perhaps there were some further designs in it.

Colonel Goring, from whom the parliamentary leaders had received, if not their earliest, at least their fullest intelligence, testified, that Suckling was the first person who spoke to him for bringing up the army: That afterwards, in the queen's lodgings, he met Henry Percy, who took him to a consultation of officers, at which Wilmot, Pollard, Berkley, Daniel O'Neal, and Henry Jermyn were present, and where an oath of inviolable secrecy was given him. They resolved to make a declaration of attachment to the king, and of their determination to engage themselves and endeavour to engage the army, on three points: The preservation of the bishops' votes and functions: The not disbanding the Irish army till the Scotch were disbanded; and, "The endeavouring to settle his majesty's revenue to that proportion it was formerly." Different means were proposed amongst them for the accomplishment of their objects, both in this meeting and in a subsequent one at Percy's chamber; some of them "desperate and impious on the one hand, and foolish on the

other." Some of the conspirators were for marching the army into London, and giving the city up to plunder, which others opposed. Jermyn proposed terms to Goring, on which he was to relinquish his government of Portsmouth. The queen herself however, on Goring's being brought to Whitehall, came and spoke to him and sent him to the king.

In a letter of justification addressed by Percy to the earl his brother he states, that it was only at the king's urgent and repeated desire that Jermyn and Suckling were admitted into the consultations of the other officers, who regarded them with distrust as entertaining "higher notions" and more violent designs than themselves. Disputes on the choice of a leader speedily arose, some of the conspirators proposing Essex, others Holland, and others Newcastle for the first post, and more than one endeavouring to secure either it or the second, for himself. These dissensions caused the overthrow of the whole design.

It is material to observe that the king had given them under his sign manual a commission authorizing them to tamper with the military.

Henrietta told Madame de Motteville, that the plot of Goring and Wilmot to gain the army, was disclosed to herself by Goring, and to the king by Wilmot: That both were ambitious of succeeding Strafford in the chief command, and that she sent Jermyn to endeavour to settle matters between them, but he found it impracticable: That Goring from

pique betrayed the plot to the parliament, in consequence of which both Jermyn and Percy were obliged to fly; and that after the loss of these two friends, Strafford gave himself up for lost. She added, that he might have escaped more than once, (that is, before his trial,) and would not, hoping to prove his innocence: "He had once," says Madame de Motteville, "been on bad terms with the queen, but afterwards attached himself to *her interests*, when he had shown her great respect, and served her well. From gratitude, and a sense of her own and her husband's dignity, she omitted nothing to withdraw him from the hands of his wicked accusers; but she gained only the satisfaction attending kind and just actions." This passage is important, in so far as it seems to acquit Henrietta of the suspicion of urging her husband to violate his conscience in signing the death-warrant of Strafford, and also, as it seems still more closely to connect the army-plot with the schemes for his deliverance.

On the third branch of the conspiracy,—that of the introduction of foreign forces,—the evidence was perhaps less conclusive than on the others: the parliament however published their opinion, that the French were drawing down troops to Calais, and that they had a design upon Portsmouth, which Jermyn had endeavoured to get into his own hands; and this place, with Dover, they immediately caused to be put in a state of preparation. An intercepted letter from father Philip, the queen's confessor, to Walter Montague, was produced, in further

testimony of the mischievous intrigues of her French and popish household against the state which harboured them. It began as follows:

"The good king and queen are left very naked; the puritans, if they durst, would pull the good queen in pieces. Can the good king of France suffer a daughter of France, his sister, and her children, to be thus affronted? Can the wise cardinal endure England and Scotland to unite, and not be able to discern, in the end it is like they will join together and turn head against France? A stirring active ambassador might do good here." After referring to the king's speech in favor of Strafford, which he says lords Bristol and Saville advised him to make, the priest goes on to relate the clamors of the people for justice, and the alarm of the lords and the judges, and their desertion of the cause of the prisoner; and then adds, "The king is much dejected, the lords much affrighted, which made the citizens and the house of commons show their heads; some have braved little less than to unthrone his majesty, who if he had but an ordinary spirit, might easily quash and suppress these people."

This letter being read in the house, great exceptions were taken, especially to what it reported of the puritans wishing to tear the queen in pieces[a].

With respect to the sharers in the army-plot, six or eight of the principal fled immediately on the

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[a] *Trial of Strafford*, 746 et seq.

discovery: Jermyn made his escape safely into France, as did Suckling, who soon after died at Paris; but Percy, lingering imprudently in the neighbourhood of Petworth, was discovered and set upon by the country-people, and severely wounded. He extricated himself however from their hands, and was no more heard of for several months. It was the first report brought to the house, that Percy and Jermyn were fled towards Portsmouth, whither it appeared that the queen likewise had a design of repairing; and in a conference immediately held between the two houses, it was resolved to request her majesty to stay her journey, on account of the hazards to which it might expose her person; and one lord and two commoners were immediately dispatched under an oath of secrecy, to propose certain questions to the governor of that place, and take further precautions for its security;—Marks of distrust which seemed much more reasonable on the part of the parliament than the confidence again reposed by Henrietta in the man of whose perfidy towards herself and her dearest friends she had apparently the greatest reason to complain! Goring however, who "had been bred in the court and owed all he had to the immediate bounty of the crown," had not in fact, or at least not permanently, abandoned the party the secrets of which he had hastily betrayed; and the parliament no sooner began to place confidence in him than he gave them ample cause to repent it.

To the extraordinary aptitudes of this person for

the part of a political intriguer, lord Clarendon has borne the following testimony. After adverting to the favor and confidence which his disclosure of the army-plot procured him from the parliament, he adds: "He was in truth a man very powerful to get esteem, having a person very winning and graceful in all his motions; and by a hurt in his leg, which he had nobly and eminently obtained in an assault of a town in Holland, and which produced a lameness not to be concealed, he appeared the more comely and prevailing. He had a civility which shed itself over all his countenance, and gathered all the eyes and applications in view; his courage was notorious and confessed; his wit equal to the best, and in the most universal conceptions; and his language and expression natural, sharp and flowing, adorned with a wonderful seeming modesty, and with such a constant and perpetual sprightfulness and pleasantness of humour, that no man had reason to be ashamed of being disposed to love him, or indeed of being deceived by him. He had such a dexterity in his addresses, and in reconciling the greatest prejudice and aversion, that he prevailed with the queen, within less than forty-eight hours after he was known to have betrayed her, and ruined those who were most trusted by her, and who were fled the kingdom for the safety of their lives, to repose a great trust in him again, and to believe that he would serve the king with great integrity[a]."

[a] *Hist. Rebellion*, vol. iii. p. 178, note.

This accomplished deceiver, whose after-actions were very remarkable, was the son of George the first baron Goring, who was a few years after, in consideration of his services to the royal cause, advanced to the dignity of earl of Norwich, when his more noted son became lord Goring. Whether the family were catholic does not appear, but the younger Goring, who after the ruin of the royal cause entered into the service of the king of Spain, is said to have assumed the Dominican habit in that country[a].

With respect to the other participators in these machinations, O'Neal, who was deepest in the design of bringing up the army, being threatened with a capital prosecution, made his escape but afterwards surrendered. Wilmot, Ashburnham and Pollard, all members of the house, and Davenant the poet, who was detected in the endeavour to quit the kingdom, being judged less guilty, were, after short terms of imprisonment, admitted to bail. The plot had apparently been sufficiently serviceable to the cause of parliament to incline its chiefs to lenity. Once detected, all danger from schemes so rash and immature, was at an end. There was no cause to believe that disaffection had been widely diffused in the army; and a gracious letter from parliament, promising the troops the speedy discharge of their arrears, was sufficient to check its progress. On the other hand, the evidence which had been elicited of the treachery

[a] *Collins's Peerage*, by Brydges, vol. ix. p. 45

of the king, and the intrigues of the queen, with her band of courtiers and priests, had filled the minds of the people with indignation and alarm, which prepared them cordially to support the parliament in any assumption of power fitted to secure the tranquillity of the state during a great and unprecedented emergency. Under these circumstances a bill quickly passed both houses, though not without a slight effort on the part of the lords to limit its duration to two years, for restraining the king from dissolving the present parliament without its own consent. The ostensible ground for this startling law, was the necessity for giving such stability to the parliament, in order to induce the capitalists of the City to advance on its credit the great sums which would be required for discharging the demands of the Scotch, and disbanding both armies. But a deep-rooted distrust of the intentions of the king, and the consequent apprehension of the popular members for their own individual safety, was doubtless the more cogent motive for its enactment. The bill for Strafford's death, and that for the continuance of parliament, were brought to the king at the same time, and signed by him with one pen. By the first, it has been said, he destroyed his most faithful and able minister; by the second, he ruined himself. But it is pretty evident that he had disabled himself from denying either, except at the immediate hazard of his crown.

In the midst of these absorbing interests, there passed with little general notice a transaction of

immense importance to the future welfare of the English nation,—the marriage of Mary the princess royal, at the age of ten, to the prince of Orange, to which union our third William owed his birth.

The situation of Mary de' Medici at the court of her daughter had become nearly insupportable, though she still clung to it as her sole resource. Charles had been necessitated by his own embarrassments to suspend the payment of the exorbitant pension of a hundred pounds a day, which he had granted her on her arrival; and she had fallen, in consequence, into a state of real indigence. To the people, who naturally imputed to her counsels all that most offended them in the conduct and principles of her daughter, she became daily more obnoxious, till their insults and her fears impelled her to make application to the parliament for a guard. This they granted her, feeling that the honor of the nation was pledged for her safety; but they made it their plea for requesting the king to prevail upon her to quit the country, to which he consented on their grant of 10,000*l.* for the expenses of her journey.

Henrietta was thus obliged to abandon to her evil fate a parent whose enterprising folly had already impelled her son to banish her from the kingdom where she had ruled so long surrounded with all the splendor of luxury and the arts; and urged the government of Flanders to press the departure of the mother of the queen of Spain. "Insomuch that she became," says May, "a strange

example of the instability of human fortunes,—that so great a queen, and mother to so many mighty princes, should want a quiet harbour for her age."

She pursued her journey to Cologne, and there died.

The great earl of Arundel, the premier peer of that rank in England, disgusted at the abolition of his marshal's court, and prescient of the coming storm, seized the pretext of conducting this queen upon her way, to proceed to Italy, where he was content to end his days in a base vacation from the cares and duties of the patriot and the legislator.

During the year 1641 the marquis de Ferté-Imbaud was sent to England as ambassador from the court of France; and a secretary in his train, whose name does not appear, has left under the title of "Voyage d'Angleterre faict en l'an 1641" an account of his observations extant in maunscript, from which some particulars may be gleaned curiously illustrative of the state of the court and country at this important epoch.

An English ship of war received the ambassador at Dieppe; Gerbier, here called grand master of the ceremonies, met him at Rochester, with the king's barges; the earl of Stamford received him at Greenwich.

The catholics are said to have awaited his arrival to deliver them from the most cruel captivity and persecution of the age.

The king's carriages, sent to convey the ambas-

sador to his first audience, he mentions as better harnessed and more superb than those of the French king. He was struck with the fertility of the country which he traversed and the universal air of riches and comfort, contrasted with the appearance of France, wasted by long civil wars. The Banqueting-house at Whitehall he accounts the most spacious and beautiful room in Europe.

After paying their compliments to all the royal family, they visited the queen-mother, Mary de' Medici, who sent her carriages and gentlemen to convey the ambassador, "being then to the number of *one*, and very ill-appointed;" she received them however seated in a black velvet chair "with as much majesty and as lofty a spirit as if she had still given orders for the march of great armies, or for a second carousal."

London is thus admiringly described: "It is perfectly well situated in a wide plain which permits it to extend its arms to right and left, and is pervaded by that famous river Thames which wafts to it in abundance every necessary of human life; and thousands of barges so cover the river with passengers, that the stranger seems to behold a continued bridge, or rather the representation of a sea-fight, such are the admirable swiftness and dexterity of their manœuvres. The streets are rather narrow, and the houses built somewhat lofty, because there is a want of room along the bank of the river. They generally contrive however to find space for a garden, with a prospect of the most agreeable country imaginable.

If London have not all the advantages which glorify our Paris, it must however be honestly confessed that it greatly surpasses this city in cleanliness, elegance and safety to strangers, since every one may walk about at the dead of night, with his pipe and his purse in his hand, and fear neither filth nor assassins. This is the case not only in the best-governed cities, but in the most remote provinces, where the smallest thefts meet with exemplary punishment. London may justly boast not only of her excellent port, and her abundance of all kinds of merchandize, but of possessing the longest street, the most splendid taverns, and the greatest number of shops of any city in Europe.

The royal apartments in the Tower were at this time maintained in all their splendor; this traveller remarks that the kings of England possessed the richest tapestries and the finest paintings in Christendom, and amongst other sumptuous articles he saw here with astonishment three sets of hangings surrounded with gold of the breadth of two fingers and with splendid borders, a piece of gold brocade brought from China of inestimable value, and a large table-cover with three squares of crimson velvet embroidered with great pearls and rubies. A greater rarity was the rich sword presented by Julius II. to Henry VIII. as Defender of the Faith; but the last and richest pieces were three great vases of silver gilt, and queen Elizabeth's cup, a foot and half in diameter and four feet high, enriched with thousands of figures and devices, and

altogether the triumph of skill and labor in this branch of art.

He was surprised to learn that many of the nobility had chapels and family vaults in Westminster abbey, whilst the French kings had permitted none but the first princes of the blood to bury in the abbey of St. Denis.

Nothing seems to have delighted him more than the exhibitions of bear and bull baiting, which reminded him of the Roman amphitheatre; he does not however mention these combats as the amusements of the court.

The luxury and prodigality of the ladies in articles of dress and ornament perfectly astonished him, and still more that of the courtiers. "It is incredible," he says, "how much money they willingly sacrifice in a thousand elegancies and new modes of dress imitated from the French as the most becoming and reasonable of all. Neither does any nation equal them in extravagant betting. On the slightest news of the march of an army, or the event of a siege or a battle, they will lay wagers sometimes to the amount of thirty or forty thousand Jacobuses." Their principal games, he says, are tennis, bowls, and piquet, in which however they are not very skilful, whence they seek to avoid engaging the Parisian sharpers who often visit England, but who, in spite of their caution, never fail to carry away enough to pay the expenses of the journey. It is amusing, he adds, to see the greatest nobles of the land, pipe in hand, and without cloak or

sword, enjoying in Piccadilly the pleasures of an idle life, and filling the air with the scent of tobacco, from which they do not abstain even at the theatre in the midst of ladies, nor in the best company the town affords.

In the river between London and Rochester, he counted 850 vessels, half, he says, ships of war and half merchantmen. The Sovereign of the Sea, the largest ship in the navy, being of 112 guns, they went on board, and were astonished at the magnificence of this "floating palace." It was covered with paintings, carving, gilding, and bas-reliefs; all was wonderfully neat, and the cabins exceedingly spacious and elegant.

This writer ascribes to the interference of the French ambassador the means taken by parliament to stop the embarkation of the Irish regiments for the service of Spain. He relates very correctly the circumstances of father Philip's examination by parliament, his insolent behaviour and consequent imprisonment; and we learn further the curious fact that Mary de' Medici had taken upon her to leave in England as *her resident* one Monsigot, who became obnoxious and suspected, and being summoned to answer interrogatories, secreted himself.

CHAPTER XXI.

1641.

Treaty concluded with the Scots.—Poll-tax imposed.—The king's speech,—he announces a progress to Scotland.—Parliament jealous of him.—Ten propositions made to him.—The queen's confessor impeached.—Jealousies of the intentions of the queen.—The two houses oppose her leaving the kingdom.—The king's departure.—Authority of the queen during his absence.—The king his own minister.—New army-plot.—The king watched by parliamentary commissioners.—His reception in Scotland and speech to the Parliament.—Contests arise.—Letter of sir P. Wemyss.—Correspondence of the king and secretary Nicholas.—Settlement of affairs in Scotland hastened by news of the Irish rebellion.—Transactions in parliament.—Advice of Nicholas in religion.—Vacant sees filled.—Williams made archbishop of York.—Notices of Usher,—Prideaux,—Brownrigg.—Scheme of modified episcopacy abortive.—The king implicated in a second army-plot.—Parliament occupied on the declaration of grievances.

THE long-drawn treaty with the Scotch was now brought to a conclusion, the English parliament cementing the close alliance between the two nations which was stipulated, by an agreement to pay by instalments towards the "losses and necessities" of their brethren of Scotland, the large sum of 300,000*l.* in addition to the pay of their troops.

To defray this demand, and liquidate the arrears of the English army, a heavy poll-tax was levied,

and much plate melted down in haste; and the earl of Holland, being appointed lord-general, was sent to the North to carry into effect the discharge of the English army.

It was along with the bill for the poll-tax, that those for the abolition of the high-commission and the star-chamber were offered for the royal assent. Having passed the money bill, Charles incurred the reproaches even of his own household by the infatuated perversity of demurring upon the others, which the public voice and the necessity of his own affairs compelled him to pass, with a bad grace, two days afterwards. On this occasion, falling into the querulous strain which had become habitual to him, he told the parliament that he could not but be sensible of the discontents taken, as he understood, by some, that he had not passed these bills before: He thought it strange that two things of so great importance should be required of him without time allowed to consider of them: He wondered how they could harbour discontent when they considered how much he had done: Making judges during good behaviour; bounding the forest laws; taking away ship-money; establishing the subjects' rights in tonnage and poundage; granting triennial parliaments, with free justice against delinquents, and other things. Yet he assured them that he would omit nothing to give them content. He ended by making mention of an intended progress to Scotland.

Here was fresh matter for the jealousy of parlia-

ment. The motives for the king's desire of visiting his northern kingdom at this juncture were so obscure, whilst the circumstances which must render his abode there painful and mortifying were so strikingly evident, that it was impossible not to suspect that his journey was designed to promote some kind of secret machinations. Nothing seemed more probable, than that a fresh design for engaging the army in his interest was in agitation; and great exertions were therefore made to expedite the disbanding before his departure. It was also feared that he might so gain over the body of the Scottish people by well-timed concessions and gratifications, as to array them in opposition to the enterprises of the English house of commons. On these considerations, both the chief of the Scotch commissioners and the leaders of the English parliament, endeavoured by all means to impede the king's journey; and the commons having demanded a conference with the lords, presented to them ten articles to be offered by both houses to his majesty.

By these, the king was requested to delay his departure until after the disbandment, and the passing of certain bills now pending; and thus to prevent the jealousies of his subjects, and suppress "the hopes of persons ill-affected that may have designs upon the army to disturb the peace of the kingdom." He was urged to consent to the removal of such councillors as had been active in furthering courses contrary to religion, liberty and good government, and to admit others of an oppo-

site character, in whom the parliament might confide. With respect to the queen it was asked,—That his majesty would persuade her to admit some of the nobility, and others of trust, into offices now at her disposal:—That no jesuit, nor any other regular, of whatever country, be received into her service, nor any priest born within his majesty's dominions, and that they be restrained from coming to court:—That the college of capuchins be dissolved, and they sent out of the country. (And here the dangerous letters of father Philip and others of these priestly intriguers were produced)—That during his majesty's absence some persons of quality be appointed to attend the queen's person, to guard against all designs of papists and ill-affected persons, and that resort to her be restrained. It was further desired, that persons of public trust and well-affected in religion, be placed about the king's children, to take care of their education, "especially in matters of religion and liberty:" That if any should come into the kingdom as nuncio, or with instructions from the pope, it be a case of high-treason, and he put out of the protection of the king and the law. And here it was stated that Rosetti yet remained in the country and even came to court.

Some other articles provided for securing the kingdom by lord-lieutenants and deputy-lieutenants trusted by parliament; by care for the cinque ports, by an oath given to the trained bands, by attention to the state of the navy, and by the appointment of

a committee of both houses to confer for the public good. Lastly, it was requested that the king would be very sparing in sending for papists to court; that against such as came unsent for, the laws should be severely enforced; that English ladies recusants might be removed from court; that the persons of the most active papists, lords or commoners, might be so restrained as was necessary for the good of the kingdom; and that to recusants held dangerous to the state, no pensions should be allowed[a].

The memory of the delinquency of father Philip, the queen's confessor, being revived by these articles, he was sent for by a messenger of the commons, to whom, after going to consult his mistress, he audaciously answered, that the queen had commanded him not to go till she had spoken to the king, and he would rather obey her than the parliament. On this, a warrant was issued against him by the house, to which the king obliged him to submit. The commons sent him to the Tower, and some time after brought in articles of impeachment against him. These exhibit him as a pernicious intriguer, a spy of France, the close ally of the agents sent into the country by the pope,—to whose interests he had, of course, the peculiar devotion of a jesuit,—and as the ally of three exceedingly obnoxious recusants; sir Toby Mathew, sir John Winter, whom he had made secretary to the queen, and Walter Montague. By his means many "factious

[a] Rushworth, iv. 298.

and turbulent spirits" are said to have received protection from the queen, and even to have been entertained by her as "extraordinary servants;" and to fill the measure of his offences, he is charged with endeavours to "traduce" the tender years of the prince of Wales to popery[a].

It cannot be affirmed that the marked distrust of Henrietta and opposition to her designs and partisans, manifested by the parliament, was either unfounded, or even excessive: So long before as February of this year, the French ambassador had written home that she said publicly, that a truce for three years had been concluded on between France and Spain, and that they would now join their forces to defend her and avenge the catholics[b].

At the same time she had been eager to make a journey to France, to pursue her intrigues; but a hint from the leaders of parliament to Richelieu, induced him to forbid the visit,—to her high displeasure[c]. In the course of the summer she resumed her project, proposing to accompany her mother abroad, on pretence that her health required the waters of Spa; but the two houses, after a conference on the subject, offered to his majesty the following amongst other objections to the design. —The cause there was to fear, that the papists had founded some design upon her majesty's journey, many of them having sold their land for ready mo-

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[a] Rushworth, iv. 301.

[b] Mazure, *Hist. de la Revolution en* 1688, ii. 419. [c] *Ibid.* 416.

ney; and others having collected a great treasure in gold, plate and jewels, to be sent abroad with the queen, to the impoverishment as well as danger of the country; and an unusual number of papists, and those of the better sort, having themselves also gone beyond sea:—The great number of English fugitives now abroad, who had evinced their malice by their late designs and practices, and would not fail to labor at infusing evil counsels into her majesty, the more dangerous at this time, on account of the unsettled state of the kingdom and the approaching disbandment, which would fill all places with soldiers, apt to be provoked to seditions and tumults, particularly during the absence of the king. Some courtly expressions were added in the close, respecting the interest taken by both houses in the health and happiness of her majesty. For these she had the adroitness to thank them in a gracious message, by which she relinquished her design with apparent cheerfulness: A condescension which procured her the thanks of parliament.

In the mean time the king, impatient to be gone, exerted uncommon diligence in the dispatch of all the affairs which the commons heaped upon him; and their utmost efforts could not detain him beyond the 10th of August. The army was not yet disbanded, and Charles, designing treachery, promised, on the word of a prince, to do his best to expedite the business.

The parliament had been urgent with the king to appoint a *custos regni* or lieutenant during his ab-

sence; but this request he had disregarded; and it plainly appears from the official correspondence between his majesty and sir Edward Nicholas, who had succeeded Windebank as one of the secretaries of state, that the queen was in effect regent, and no step taken without her direction or knowledge[a]. Commissioners however were appointed for giving the royal assent to bills, and Essex was named general south of Trent. At no period of his reign was Charles so destitute of able advisers in whom he was disposed to confide, as at this juncture. To supply the places of those whom impeachment, or the dread of it, had driven from the cabinet, he had as yet found no resource but in a numerous council heterogeneously compounded of popular peers, distrusted by himself and hostile to his views, and mere courtiers, suspected or despised by the parliament and the people. The volatile Digby, whom he had called up to the house of peers in reward of his defection from the parliament, and of his celebrated speech in behalf of Strafford, which the commons, on his printing it, had caused to be burned by the hangman,—is said to have exercised, through the queen, a considerable influence over his determinations. On the whole, however, the king is to be regarded as his own minister, and the stamp of his personal character is strongly impressed on the public acts which signalized his visit to Scotland.

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[a] See the correspondence of sir Edward Nicholas in Evelyn's *Memoirs*, Append. vol. ii.

He was attended in his coach by none but his young nephew Charles Louis, elector Palatine, his cousin the duke of Lenox, created duke of Richmond, and marquis Hamilton.

Within a few days of his departure, the house of lords received a letter from the earl of Holland, whom some personal pique had detached from the court, obscurely hinting at the existence of new practices and designs against the parliament, and the revival of an army-plot. To meet these dangers, the two houses named a joint committee to go into Scotland, ostensibly to superintend the ratification of the treaty and maintain the good understanding between the two kingdoms, but in reality to keep watch on the king, and, in the language of their instructions, "to certify parliament from time to time of all occurrences which shall concern the good of this kingdom." Lord Howard of Escrick, sir William Armine, sir Philip Stapleton, Nathaniel Fiennes son of lord Say, and Hampden, were the depositaries of this important trust.

A respectful and almost affectionate reception awaited Charles in the kingdom of his ancestors. Satisfied with their full success, the covenanters evinced at first no desire to triumph over their prince, on whom it was natural to imagine that experience must have impressed some useful lessons. On his road, when passing through that army which had given irresistible effect to the parliamentary resistance of his two kingdoms, he abstained from any open attempt to assume the command of it;

and publicly affected to caress its leaders, whilst he tried upon them the effects of secret corruption. At Edinburgh, he so far commanded his feelings as to conform to that mode of worship which he had in vain exhausted all his power and all his policy to overthrow. In his first address to the Scottish parliament, he began with the popular declaration that, moved by his affection for his native land, he had come in person for the express purpose of remedying jealousies and distractions which he lamented; and he engaged for the most ample and cheerful fulfilment of all that he had stipulated; but he could not refrain from claiming their allegiance as the descendant of *a hundred and eight* Scottish kings; and he offered to ratify, by the national form of touching with his sceptre, the acts of their last session. Vigilant in the preservation of their hard-earned liberties, the covenanting leaders reminded him that the acts of the Scottish parliament were legally valid without a royal assent, and that the promulgation of them in his name was all that the terms of the treaty required.

A much longer and more serious contention soon arose on that article which obliged the king, in compliance with ancient law and custom, to appoint to the great offices of state and judicature by the advice of his parliament. Charles stickled as long as possible for the free exercise of what he called his prerogative, in this important point; and when vanquished on the general principle, he still

carried on a war of detail upon particular appointments.

In these disputes much time was consumed, and to outward appearance nothing could well be more irksome and even humiliating than the situation of the king; thus depicted in a letter from sir Patrick Wemyss to his patron the earl of Ormond, then in Ireland, and dated Sept. 25:—".....I am confident, for all that I can hear or learn, it had been the happiest journey that ever your lordship made, if you had come here at this time. I believe whatsoever your lordship would have demanded might have been granted, for in an age your lordship could never have lighted upon such a time as this, and I am certain your coming to his majesty at this time would have been most acceptable. For there is never a nobleman with him of the English or Irish, but Dillon, who is a great courtier, if he could make use of it. The king has commanded him to stay as long as he stays, and has given him a letter to be one of the privy-council of Ireland. What will be the event of these things God knows, for there was never king so much insulted over. It would pity any man's heart to see how he looks, for he is never at quiet amongst them, and glad he is when he sees any man that he thinks loves him; yet he is seeming merry at meat. Henderson is greater with him than ever Canterbury was; he is never from him night nor day.

"It had gone hard with the marquis, if he had not

fallen in with Argyle, who will bring him off. For, believe it, the people here are much incensed against him, but Argyle and he are sworn to one another; and so think to carry all business."

From the same letter it appears to have been the current opinion, that the king would be long detained at Edinburgh watching the trials of those whom the parliament had proscribed as incendiaries; and he was said, in particular, to have passed his royal word to Montrose, to wait for his; "for if he leave him," observes Wemyss, "all the world will not save his life[a]."

Notwithstanding these mortifications Charles himself exhibited no impatience to conclude his affairs and his visit; impressed with the idea that so many contests for office could scarcely fail to break out into open dissensions amongst the chiefs of the covenant, of which it would be his own fault if, remaining on the spot, he failed to make advantage. An authentic record of his expectations on this subject, and the importance which he attached to them, and to other projects with which he was secretly busied, appears in the letters of secretary Nicholas, with the king's marginal answers, of which a few extracts follow.

The English parliament, it should be observed, had now adjourned; but a committee of both houses with Pym at its head, was left sitting, armed with extraordinary powers, and many designs were in agitation. "I hear," writes Nicholas, "there are

[a] *Ormond Let.* i. Let. 1st.

divers meetings at Chelsea, at the lord Mandeville's house and elsewhere, by Pym and others, to consult what is best to be done at their next meeting in parliament; and I believe they will in the first place fall on some plausible thing, that may redintegrate them in the people's good opinion, which is their anchor-hold and only interest; and, if I am not much misinformed, that will be either upon papists, or upon some act for expunging of officers and councillors here, according to the Scottish precedent, or on both together."

The King: "It were not amiss that some of my servants met likewise, to countermine their plots, to which end speak with my wife, and receive her directions."

"The commons' committees met, and had before them sir John Berkley and capt. O'Neale, who, coming over lately, were, as I hear, yesterday apprehended by the servant of the serjeant-at-arms attending the house of commons, upon the first warrant that was issued for taking of them, and the committees would not bail them, though they tendered it, alleging they had not power to do it."

The King: "I hope some day they may repent their severity."

"The remembrancer told me further, that the lord mayor and aldermen desired him to inquire of the day when your majesty will be here, to the end that, according to their dutiful affections, they might meet your majesty, to attend your royal person into this city, &c."

The King: "When ye shall see little Will Murray, then ye shall know certainly not only of my return, but also how all will end here."

The letter of Nicholas containing the last passage is dated September 29th; the king's reply October 5th. In the intermediate time had occurred a mysterious event known by the name of *the Incident*.

Whatever else remains obscure in this business, all accounts agree in tracing its origin to the selfish intrigues of a man but too conspicuous afterwards in the records of civil war. James earl of Montrose, a young nobleman of impetuous spirit and boundless ambition, who had owed his first introduction at court to the marquis of Hamilton, in resentment of some real or imaginary slight offered him by the king, had been one of the first men of rank to join the covenanters; and was actively engaged in their earliest measures; but afterwards, from jealousy it is said of the ascendancy of Argyle, and the secret influence of Hamilton, had privately made his peace with the king at Berwick. From this time he had been content to live amongst the leaders of his party on the footing of a spy and traitor; and before the king's journey to Edinburgh, had acquainted him, that the marquis of Hamilton had betrayed him through the whole course of the Scottish commotions, and that he and Argyle were now combined for his majesty's destruction[a]. He had next attempted to prove these noblemen guilty of a

[a] *Hist. Rebellion*, vol. ii. Append. B.

plot for dethroning the king; but in this he had failed, and by the power of Argyle, the person who had stood forth as accuser was put to death as a calumniator, and Montrose thrown into prison. Undaunted however by this reverse, he renewed his communications with the king through William Murray a gentleman of the bed-chamber, repeated his charge against the two nobles, and "frankly undertook," as we are told by Clarendon, "to kill them both[a]." The king, though rejecting this proposal, appears to have consented to have them seized in their entrance to his presence chamber, by a band of soldiers under the command of the earl of Crawford, and conveyed on board a ship of war which was lying in Leith roads. An intimation on the very evening just enabled the intended victims to make their escape from the palace, and fortify their houses for the night; the next morning they fled into the country, having first published the cause of their retreat. The sequel is thus described by the able pen of Baillie:—"The king came up in a coach to the parliament, and near 500 soldiers, and the worst-affected men, about him, with their arms in a menacing way. They broke in near hand to the parliament's outer hall. The states were mightily offended, and would not be pacified till Leslie had got a commission, very absolute, to guard the parliament, with all the bands of the city and regiments yet on foot, and some troops of horse; which,

[a] *Hist. Rebellion*, ii. 17.

according to his printed warrant, he did quickly and diligently. Crawford, Cochran, and others, were made fast. Great ado there was for their trial. The king complained much of the vile slander which Hamilton's needless flight and fear had brought upon him. He professed to detest all such vile treacheries as were spoken of; urged a present trial in face of parliament, for the more clearing of his innocency. Yet this way was rejected as very unmeet; but a committee was appointed for a more accurate trial in private than could have been in public. Many evil-favoured things were found; yet in the papers that went abroad, we found nothing that touched the king..... In the mean time, Hamilton, Argyle, and his nephew Gordon, lay quietly at Hamilton without any convocation of friends. The king vented much malcontentment against Hamilton, and, if the late declaration had not secured him, was near to have intended a citation of him to answer to points of treason. ..... After some two or three weeks absence, upon the king's and parliament's letters, they all returned, and at once seemed to have as great confidence in the king as ever. Sure their late danger was the mean to increase their favor with the parliament; so whatever ruling they had before, it was then multiplied[a]."

After this, the interrupted negotiations were quietly resumed. But although the business was

[a] Baillie's *Letters*, i. 331.

thus apparently passed over, the injury sustained by Charles was very great, and in some respects irreparable. He had missed a stroke to which he evidently attached great importance, and with the further ill-effect of confirming all former impressions of his want of faith and veracity. So close also had been the concert in which the lords of the covenant and the leaders of the English parliament had pursued their designs, that this manifestation of the perfidy of Montrose and of dark schemes of royal vengeance formed upon his disclosures, was calculated to excite as much resentment, and perhaps alarm, in England as in Scotland.

Immediately on receiving from their committee at Edinburgh a narrative of these transactions,—the only one which arrived, for the king was silent,—the standing committee of both houses promulgated their apprehensions of the existence of a popish plot extending its ramifications to England;—a suggestion to which a color was afforded by the religion of the earl of Crawford and other parties concerned in *the Incident*, and by the fact of vague rumors of troubles at Edinburgh having prevailed in London before the event itself. They sent to the lord mayor to secure the city, and required the justices of Middlesex and Surry to obey such orders as they should receive from the earl of Essex; then, having desired a conference with the lords, they drew in concert instructions to their committee at Edinburgh of the following tenor.

That they were to acquaint his majesty, that both

houses, having taken into consideration the examinations and confessions touching a tumultuous design affirmed to be undertaken by the earl of Crawford and others against the persons of the marquis of Hamilton, and the earls of Argyle and Lanerk, find cause to doubt that such ill-affected persons as would disturb the peace of that kingdom, are not without malicious correspondents here, who, if their wicked purposes had succeeded in Scotland, would have attempted to produce distempers and confusions in this kingdom, on which consideration they had ordered guards to be set in London and Westminster, and resolved to take measures for securing the rest of the kingdom.

Further, that parliament held it of high importance to this kingdom, that the religion, liberty, and peace of Scotland should be preserved, according to the treaty agreed to by his majesty and confirmed by parliament: That they thought themselves bound to be careful of it, not only from a regard to public faith, but as thinking it a great means of securing the common good of England, Scotland and Ireland, and thus promoting the greatness and security of his royal person; wherefore they had resolved to employ both their humble and faithful advice to his majesty, and the power and interest of parliament and the kingdom, to suppress such as by any conspiracies, practices or attempts, should endeavour to disturb the peace of Scotland, or infringe the treaty.

The committee were further to represent to the

king, that four companies of foot having been detained in Berwick by his majesty's special command, after the appointed time of their disbandment, the parliament would no longer be answerable for the expense of their detention, or the demurrage of the ships sent to convey them away[a]. These troops, it should be observed, were thought to have been kept in readiness to assist in the seizure of the castle and town of Edinburgh, reported to have made a part of the plot so narrowly defeated. The whole affair of the disbanding and disposal of the troops was indeed a subject of great jealousy and anxiety to the parliament. Charles had asked the sanction of the commons to an agreement which he had made with the Spanish ambassador, to allow 3000 men of the Irish army to be transported to Flanders for his master's service; and it appears that the French ambassador had urged a similar request respecting some English regiments; but the house, on various pleas, had peremptorily refused its concurrence, suspecting some sinister design on the part of the king.

Strength was perhaps added to their worst surmises, by their gaining intelligence of the fact, that Charles was at this time endeavouring to raise money on the crown jewels. "The great collar of rubies" had been already conveyed into Holland and laid in pawn, and we find the king giving orders to

[a] Rushworth, iv. 390, 391.

Nicholas to draw up such a warrant as the queen shall direct, for the disposal of it[a].

The importance attached by Charles to the settlement of his affairs in Scotland, and the little pains he apparently took to hasten his departure, whilst matters of the utmost urgency claimed his presence in England, was a kind of mystery to some of his most faithful servants; the secretary, who seems to have been too honest a man, and perhaps too good a protestant, to be trusted with all secrets, repeatedly gives utterance to his sentiments in passages such as these: "It hath been here confidently said by those that held correspondency with the English committees in Scotland, that the earl of Argyle shall be at length chancellor, and that the lord Almont shall not be treasurer; and if I am not much misinformed, they are here as peremptorily resolved to press and put upon your majesty a lord-treasurer and some other officers, before they will settle your revenue, and nothing can break their designs here but your majesty's presence; and if your majesty do not hasten to be here some days before the next meeting in parliament, I doubt there will be few that will dare to appear here to oppose the party that now swayeth; and I pray God there be not some design in detaining your majesty there, till your affairs here be reduced to the same state they there are in. *The King:* Though I cannot return so soon as I could wish, yet I am confident that

[a] Append. to Evelyn's *Mem.* p. 19.

you will find there was necessity for it, and I hope that many will miss of their ends." The secretary continues;—"I assure your majesty the opinion of wise men here is, that to have what officers you desire in that kingdom cannot make so much for your service there, as your absence hence at this time will prejudice you in businesses of more importance here: And as for the lord Montrose and the rest, some here, that pretend to understand the condition of their case, are of opinion that their innocency is such, as they will not fare the worse for your majesty's leaving them to the ordinary course of justice there. *The King.* This may be true that you say; but I am sure that I miss somewhat in point of honor, if they be not all relieved before I go hence[a]."

In the last remark of the king there was cogency. To those persons whom the Scotch parliament had excepted out of the act of oblivion as incendiaries, and especially to Traquair, he had pledged his promise of protection, and he was probably unwilling again to incur such self-reproach as the desertion of Strafford had cost him. In the dark and daring Montrose, also, he no doubt wished to preserve one of the most effective of such instruments as the course of his policy was likely to render indispensable to him. In this object he at length succeeded; it was agreed that the incendiaries should indeed be put on their trial, to satisfy an oath

[a] Evelyn, Append. ii. 30.

taken by the parliament, but that their sentence should be remitted to his majesty. On the other hand, by a compromise which marks an awkward consciousness on both sides, Hamilton, having begged the king's pardon, was created a duke, and *the Incident* no more mentioned. Argyle was made a marquis, and earldoms were conferred on two or three others of the covenanting leaders. Out of the revenues of bishoprics and dissolved priories, now all confiscated, the king dispensed gratuities to many individuals, including Henderson and others of the clergy, and bestowed considerable endowments on the universities.

These arrangements were not yet perfected when the first news of a formidable insurrection in Ireland reached Edinburgh. "This rebellion," says Baillie, "made both the king and us to haste all affairs; so in eight days as great and precipitate haste was used, as in three months before there had been needless protraction. A committee was appointed the 4th and 5th of November, which in two or three nights did agree all things privately with the king, most according to Argyle's mind; . . . . . so our parliament ended, after so long sitting, somewhat abruptly. The king behoved to be gone; yet he made no such speed as was expected; for at York he staid some days, and was long ere he came to the parliament; which presently filled the mouths of all, that the Irish rebellion, and new plots in England against the parliament, were invented by the queen, and not against the king's mind: but in

many declarations his majesty has since put all suspicion out of every equitable mind: however, too many to this day will not take satisfaction[a]."

Some further notices of the objects which principally engaged the parliament during the king's absence, and intimations of his sentiments respecting them, may be collected from the correspondence of Nicholas.

It appears, that a general pardon for his English subjects, granted by the king at the request of the parliament, who sought it for the protection, probably, of those who had encouraged the Scottish invasion, was disapproved by them, because so drawn "that both Mr. Percy and his company were comprehended in it:"—Charles with characteristic artifice having attempted thus to shelter those to whom he dared not openly extend the royal mercy. —Besides the army conspirators, it seems that it would likewise have protected certain ecclesiastical delinquents; in fact, Selden did not scruple to declare in parliament, that by a just construction it would include the primate himself;—but this plea was overruled. For the thirteen bishops accused on account of the canons, the king caused a separate pardon to be drawn. Nicholas announces, that the sentence by which Londonderry was adjudged forfeited to his majesty, was by the house of commons declared null, and that land "thought fit to be restored back to the city of London." Loth to

[a] Baillie's *Letters*, i. 334, 335.

relinquish the fruits of one of the most grossly iniquitous decrees of his abolished court of star-chamber, Charles writes, "You must command my learned counsel in my name that they do what they may that the same vote pass not the higher house."

An order for abolishing all superstitious novelties in the church, and destroying crucifixes and certain pictures, had passed the commons, though not without considerable opposition from some members, who regarded ecclesiastical matters as out of the jurisdiction of the house: by the peers it was more strenuously resisted. Immediately after the adjournment, Nicholas writes that there was not at parting, a very perfect agreement between the two houses in all things; for the peers declining to join with the commons in orders touching innovations in the church, the commons notwithstanding ordered them to be printed. This was resented by the lords, who in consequence reprinted a former order for the observance of the common prayer, against which again the commons made a declaration, and some of the peers themselves protested. On the relation of this difference, the king remarks: "I am not much sorry for it[a]." In fact, to sow dissentions between the houses was at this time a leading object of his policy.

Respecting the state of public feeling on religion, and the measures advisable for the king to pursue, Nicholas expresses himself with much earnestness, to the following effect: That it was insinuated upon

[a] Evelyn's Append. pp. 12, 16, 18.

all occasions, that popery was too much favored by the clergy, and in the court; and that this opinion, how unjustly soever laid by Brownists on his majesty's government, had more than anything prejudiced him in the esteem and affection of his people, whose love it was so much his majesty's interest to preserve, that he could not but suggest the expediency of his giving some public assurance to the contrary; "which," he adds, "I humbly conceive may be done by your conferring of such bishoprics and ecclesiastical dignities as are now void upon persons of whom there is not the least suspicion of favoring the popish party." After giving a list of such clergy, he proceeds to suggest the expediency of the king's promoting some reforms of the book of common prayer, against certain parts of which a late declaration of the commons house showed that there was exception taken.

"And for a further assurance of your majesty's integrity in this reformation," he concludes, "I humbly offer it to your majesty's consideration, whether it may not be necessary, before the next meeting in parliament, to send away all the capuchins and dissolve their cloister; for if your majesty do it not yourself, I am misinformed if the parliament fall not upon them when they come again together; and it would be much more for your majesty's honor, and more acceptable to your people, and, it may be, safer for the capuchins, if in that particular your majesty prevented the parliament." Opposite this last paragraph the king

writes, "Hitherto I like your opinion well; but concerning the rest, I know not what to say, if it be not to advertise my wife of the parliament's intention concerning her capuchins, and so first to hear what she will say[a]."

Charles hastened to fill up the vacancies of the episcopal bench by four translations and the same number of new consecrations. He commanded Nicholas to transmit the list to bishop Juxon, with the remark; "that I have altered somewhat from my former thoughts to satisfy the times, and yet I hope that I have not disserved myself in my elections[b]." To "satisfy the times" in the choice of bishops was however no easy task. At this period thirteen of the number besides the primate, were under impeachment for their share in passing the canons, and the commons had made repeated motions for taking away the votes, first of these individuals, and afterwards of the whole order, which were more and more faintly resisted by the peers. Nicholas soon after takes the alarm and writes thus: "The commons house having got notice of the new bishops that are now making, some did marvel that any man should move your majesty for making of bishops in these times, when it is well known how great complaints are against them in general, and some would have had a petition or message to be sent, to pray your majesty to be pleased to stay the constituting of any more bishops till the business concerning episcopacy shall be determined." "On

[a] Evelyn's Append. pp. 21. [b] *Ibid.* 32.

the contrary," replies the king, "I command you to take order that these bills be expedited, that they may with all possible diligence attend the parliament[a]."

Amongst the divines thus singled out for an ill-timed preferment, we find names of great and various eminence. Williams stood at the head of the list, translated from Lincoln to the archiepiscopal see of York. The circumstances which had restored this remarkable personage to the royal favor and the political life which he loved, are worthy of record.

After four years of imprisonment and of persecutions which had failed to bow his spirit to the abject submissions required by Laud, this prelate had been set at liberty on the meeting of parliament by an order of the house of lords addressed to the lieutenant of the Tower. His biographer intimates, what may easily be credited, that the popular party expected great assistance from him in conducting the meditated impeachments of his inveterate enemies Laud and Strafford. But these hopes were in great part disappointed. The king, with more of the policy of conciliation than he commonly displayed, summoned Williams to a private audience, in which it is probable that the reversion of the see of York was promised; and immediately afterwards, as a public token of returning favor, caused all records of the starchamber-proceedings against him to be cancelled. After this, the bishop did indeed so far indulge his feelings as to second a severe speech of

[a] Evelyn's Append. p. 49.

lord Say's against the primate; but he exhibited himself as a zealous champion of his order, and on other points he seems to have been swayed by the wishes or suggestions of his sovereign. On the trial of Strafford, he made two elaborate speeches for his service, in one of which he maintained the right of bishops to sit and vote in cases of blood, though he consented to waive it on this occasion; and he also endeavoured to dissuade the king from that ill-advised appeal to parliament in behalf of the lord-lieutenant which seemed to seal his doom. It is probable however that he afterwards used arguments tending to reconcile to the conscience of Charles his breach of faith towards the fallen minister.

Williams was chairman of a committee of divines appointed by the house of lords to confer together on some plan of church reform under what was called a moderate episcopacy, in which it was hoped that the presbyterians might be drawn to acquiesce. This attempt underwent the fate of all other schemes of religious comprehension in times of high party-spirit, but from no want of exertion on the part of the archbishop, who employed all his abilities in the task, and in whom, says his biographer, the nonconformist divines never ceased to admire two things; "in their phrase, his courtesy and his cunning." In a visitation of his diocese of Lincoln, he made some attempts, with temporary success, to recall the people to that conformity which was still enjoined by the law of the land, and to decry lay

preaching; but the "root and branch" reformers, those whom nothing less would content than the total abolition of episcopacy, were now potent in the land; and on his archiepiscopal throne Williams was never able to seat himself. He was however frequently consulted by the king on political questions, and appears from notes in his own hand to have given firm and prudent counsels, which, his biographer intimates, were on several occasions overruled by the unhappy influence of the queen.

Usher, in addition to his primacy of Ireland, received the bishopric of Carlisle *in commendam*. This learned prelate was now in much favor with the king. It seems most probable that he had endeavoured to dissuade him from violating his conscience by the sacrifice of Strafford; but his sense of duty had afterwards led him to undertake the painful task of endeavouring to reconcile the mind of the sufferer to his master's desertion; he likewise, with a generous oblivion of former ill-treatment, not only administered to the lord-lieutenant the consolations of religion, but became the bearer of his last message to his fellow-prisoner Laud, entreating that as he should pass to his death, the archbishop would place himself at his window to receive his farewell and bestow a blessing in return.

The calvinistic doctrine of Usher had at first recommended him to the commons, and he, like Williams, had been engaged in a scheme of modified episcopacy; but conceiving that the time for middle-courses was past, he now employed his pen as a

strenuous defender of the divine right of kings and the apostolic origin of episcopacy. The distracted state of Ireland rendered his return thither impracticable, and escaping from the scenes of political agitation in London he hastened to bury himself amid the classic shades of Oxford.

It was evidently the present system of the king to exclude Arminians from the bench. Prideaux and Brownrig, respectively nominated to the sees of Worcester and Exeter, were both of known calvinistic principles; but this concession no longer availed. The political puritans required the expulsion of bishops from the house of peers, and the presbyterians Scotch and English, with the rising sect of Brownists, or independents, were to be appeased with nothing short of the abolition of the order itself.

Further examinations of parties concerned in what seems to have been a second army-plot, denounced by the earl of Holland to the parliament, had produced awkward disclosures. "This day," writes the secretary on November 18th, "the examinations against O'Neil were read in the commons house, wherein were mentioned some letters and papers signed C. R., the effect of one of which, sent to captain Legg, was, as I hear, that he should speak with sir Ja. Ashley according to instructions which he had from your majesty, and let none see that letter but only sir Ja. Ashley, who, together with sir Jo. Conyers, as I am told, (but I beseech your majesty to take no notice thereof from me,) have

been very large and particular in their examinations, which, I hear, reflect upon your majesty's person[a]." And again: "The business against O'Neil is referred to a select committee, to be prepared for the house against Monday next, and some think it will be hardly heard then; for albeit the commons have a very good mind to proceed roundly against him, yet, I hear, the proofs are so broken as they will not make a full and clear evidence: The worst in all that business is, that it reflects on your majesty, as if you had given some instructions concerning the stirring up the army to petition the parliament. I hope it will appear that your majesty's intentions were only to retain the army in their duty and dependence on your majesty[b]."

Influenced by these disclosures, the house of commons had earnestly pressed the lords for the removal of the earl of Portland, a concealed papist, from the office of governor of the Isle of Wight; "but the lords, upon his lordship's profession to live and die in the protestant religion, let fall that business." Some letters which had passed between Mr. Crofts, one of the queen's courtiers, and the duchess of Chevereux, who, banished from France for her share in the intrigues of the queen-mother, had long found shelter and favor in the English court, had also been intercepted by the house of commons; and Crofts had been in consequence examined, and suspicion cast upon Goring, who had begun to

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[a] Evelyn's Append., 75. [b] *Ibid.* 77.

fortify Portsmouth on the land side, and to "put forth some old soldiers, and put in new."

It was in the midst of the suspicions, the indignation, and the alarms which all these circumstances, with the addition of the horrors of the rebellion and massacre then raging in Ireland, were fitted to arouse, that the parliamentary leaders were putting the last hand to a declaration against evil counsellors, embodying a complete enumeration and exposition of all the grievances of the reign from its very commencement, with which it was their intention to confront the king on his return; nor could the utmost efforts of his ministers and adherents prevail to ward off a blow so justly dreaded.

CHAPTER XXII.

1641—1642.

State of Ireland.—Irish committee gained over by the king.—They engage to raise troops for him.—The king's plan for seizing Dublin castle.—Account of the earl of Antrim.—The king's commission to him.—Irish rebellion.—O'Neil's commission.—Lord Musquerry's commission.—Confession of Macmahon.—Clarendon's opinion against the king's policy respecting Ireland.—Proclamations against the rebels.—The king splendidly entertained by the City.—Unpopular measures.—Remonstrance and petition of parliament presented and printed.—The king's answer written by Hyde, who persuades lord Falkland to become secretary of state.—Nightly consultations of Falkland, Colepeppcr, and Hyde.—The king rejects sound counsels.—Growing influence of the queen.—Her situation and behaviour.—Lunsford put in command of the Tower,—displaced.—Protest of the bishops.—Its occasion and effects.—Committal of the bishops.—Alarms of plots.—The commons petition in vain for a guard.—Attempted seizure of the five members by the king.—That design betrayed by the queen.—The king's visit to the City.—Triumphant return of the parliament to Westminster.—The king retires to Hampton-court.

BEFORE the return of the king and the subsequent transactions in parliament are related, it will be necessary to look back in order to advert, though briefly, to the state of Ireland.

The repeal of the tyrannical edict, strictly enforced by Strafford, which restrained natives of Ireland, of whatever rank, from repairing to England

without the license of the lord-lieutenant and council, had been the signal for that injured people to break their indignant silence, and pour into the open ears of the English legislature the tale of their accumulated wrongs. A committee formed principally of the nobility and gentry of the Pale, descendants of English settlers, whom exclusive privileges, as well as superior education and manners, still discriminated from the aborigines, had been deputed to London, charged to lay before the two houses an ample report of Irish grievances, and also to prepare and conduct that part of the charge against Strafford which turned upon his administration of that kingdom; and the parliament of Ireland, to the surprise of the prisoner himself, who had put too easy faith in declarations of attachment to his person and administration extorted by fear or interest, had even anticipated that of England in voting him guilty of high-treason.

In consequence of the spirit which thus manifested itself, Charles, as we have seen, had been compelled to nominate the earl of Leicester lord-lieutenant; and although he still detained this nobleman in England, he had found it necessary, after an attempt to place the power in hands which he preferred, to commit the temporary government to the lord-justices Parsons and Borlace, who bore the character of puritans, and were authorized to redress some of the more crying of the civil grievances of the country.

Thus far the Irish committee had acted in con-

cert with the English parliament; but the alliance was too uncongenial to be lasting. The irreconcilable enmity of that party which daily gained strength in the house of commons to the ancient faith, which was still held by a great majority even of the English of the Pale, and by a still more overwhelming proportion of the old Irish, forbade them to look to this quarter for the slightest mitigation of their religious grievances; or rather, it menaced them with a stricter enforcement of the penal laws than had lately been attempted.

From the court, on the other hand, through the known policy of the king and the patronage of the queen, it was evident that they had everything to hope on this point; and on this basis of agreement, negotiations were soon entered upon for bringing them completely over to the royal interest. Henrietta admitted lord Gormanston, the head of the committee, to several private interviews; the memory of the graces was allowed to be revived, and Charles, just before his departure for Scotland, signed two Irish bills, by the first of which the former proprietors were reinstated in those lands which Strafford had compelled the juries to award to the king; whilst by the second, all titles to estates supported by a prescription of sixty years, were rendered valid against the claims of the crown. It is probable that at the same time he secretly confirmed to the committee the graces admitting a full toleration of the catholic religion, and removing civil disabilities from its professors.

In return for these concessions, lord Gormanston and his associates were to concur in a plan for placing at the disposal of the king, the *sine qua non* of all his further objects, a military force capable of assisting him to make head against his refractory English parliament. The eight thousand men levied by Strafford, and whom it will be recollected that he had offered for this very service, were still embodied; the king having resisted their disbandment on various pretexts: by these it was agreed that Dublin castle was to be seized; with the store of arms which it contained an additional number of troops was to be equipped, and it seems as if the king had proposed to transport himself from Scotland to take the command of them. He sent orders to the earl of Ormond, then commander of the horse, to conduct the enterprise; and to make its success still more certain, he had engaged the hazardous co-operation of the earl of Antrim, a personage well worthy of commemoration.

Randal Macdonnel earl of Antrim, head of the sept of that name, a papist, and grandson of that Tyrone who so long defied the power of queen Elizabeth, and with whom her successor had thought fit to come to terms, was a man, according to Clarendon, "of excessive pride and vanity and of a marvellous weak and narrow understanding," and remarkable for nothing, with the exception of a handsome person, but for having married the widow of the duke of Buckingham, who was also heiress of the earl of Rutland. "By the possession of her

ample fortune," he adds, "he had lived in the court in great expense and some lustre, until his riot had contracted so great a debt, that he was necessitated to leave the kingdom, and to retire to his own fortune in Ireland:" a circumstance which took place during the administration of Strafford. Whatever might be the weaknesses of this person, a certain crafty view to his own interest made no small part of his character; he had likewise activity and enterprise, and he had deeply ingratiated himself both with the king and queen. He laid claim, it appears, to some portion of the estates of the marquis of Argyle, lying among the Western isles of Scotland, and on the coast of Kantire, and by skilfully administering to Charles's hatred of the covenanters, and desire of annoying them from that quarter, he had actually succeeded in obtaining the royal license to make an expedition from the coast of Ulster, and conquer his rights by the strong arm. "It seems to me," writes Strafford on this subject, "for I was not of the counsel, my lord marquis Hamilton and my lord of Antrim had to his majesty undertaken the business before the earl of Antrim's coming forth of England, consequently, before Argyle was declared covenanter my lord of Antrim was for his reward to have had a share of his estate. What other shares there were, any or none, in truth I know not. Now, howbeit this was carried very secretly to us on this side, yet Argyle got knowledge of it there, and certainly occasioned him to declare himself sooner for the cove-

nant than otherwise perchance he would have done."

Soon after his arrival in Ireland, we find a sound judgement of the man and his intentions thus expressed by Strafford to the king. "The earl of Antrim shall be observed as your majesty hath directed. I wish his performance may answer the expectation it seems is had of him. For me .... I neither hope much of his parts, of his power, nor of his affections. His lordship lately writ to me to be furnished of arms, and that the magazine for them might be kept at Coleraine. Communicate this with the council here I durst not, for I am sure they would never advise such strength to be entrusted with a grandchild of the earl of Tyrone. And for myself, I hold it unsafe any store of arms should lie so near the great Scottish plantations in those parts." And again: "I am upon very probable reason for believing that in the way of pretending service, but doing nothing for your majesty, he attentively watcheth to do something for his own power and fortune, for which hereafter to thank himself far more than your majesty." The king in his answer leaves to the lord-lieutenant the decision how far Antrim may be trusted with a magazine of arms, but still observes, that his professions had been "so free and noble," as to entitle him to as much favor and countenance from the lord-lieutenant as "any one of his profession in religion." He will be useful to me, said Charles, "to shake loose upon Argyle;" and, in a visit which

he paid to the English court, he was encouraged by all means to proceed in his undertaking; and after his return, when his zeal appeared to slacken, a letter from the king pressed him to expedite his preparations.

To be thus held to his word, was by no means agreeable to the Irish chief; who, as he afterwards thought proper to confess, had intended no more than to pay the king a compliment, when he offered, without money, credit, or means of any kind, to equip forces and carry on a war at his own expense. What he could, however, he did; he instantly sent, says Strafford, "to the O'Neils, O'Haras, the O'Lurgans (if I mistake not that name), the Macginnisses, the Macquyres, the Macmahons, the Macdonnells, (as many O's and Mac's as would startle a whole council-board on this side to hear of,) and all his other friends, requiring them in his majesty's name to meet him with their forces; so as this business is now become no secret, but the common discourse both of his lordship and the whole kingdom[a]." This done, the earl repaired to the lord-lieutenant, ostensibly to desire his advice and assistance, but in reality with the hope of finding some pretext for throwing upon him the blame of the inevitable failure of his own inconsiderate undertakings. But Strafford, not, as he says, finding so much charity in himself as to take the thorn out of his lordship's foot to thrust it in his own,

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[a] *Strafford Letters*, i. 325; ii. 186, 204, 300, et seq.

contrived in a conversation, his report of which evinces a singular power of comic delineation, to extract from the Irish chief a full confession of his own utter incompetence to the business he had undertaken. At the same time, by adroitly avoiding to give a direct denial to any of his demands upon the resources of government, he preserved what he justly regarded as the dangerous secret, of the unprovided state to which the king's necessities had reduced the magazines and arsenals of Dublin. I inquired, he says, what store of victuals his lordship had provided for the eight thousand foot and three hundred horse whom he proposed to transport? He replied, Not any; they could find sufficient, he thought, in an enemy's country, to maintain them; only he should take ten thousand live cows to furnish milk.—But suppose Argyle should drive the cattle, carry off the corn, and lay waste the country, how were men, horses, or cows, to find subsistence? They would do well enough; feed their horses with leaves of trees, and themselves with shamrocks. To this, I craved leave to inform his lordship, I had heard there were no trees in the Isles; but if trees, as yet no leaves, so no such pressing haste to transport his army, for that the season of the year would give him yet one or two months' time of consideration in that respect. What provision, I inquired, had he made to feed his men whilst he was training them, and during their embarkation? They were the whilst in a friend's country, all true and loyal sub-

jects, those he might not plunder in any wise.—He had not considered of that.—What officers to instruct and lead them—what powder, ball, ordnance, ammunition, implements of every kind? He referred himself to me for all these things; but he would not make a formal war of it; he would land on the Isles were it only with three hundred men; the inhabitants did so adore him, he could do more with that number than another with twenty thousand. None would fight against him, all for him. That Argyle had made considerable preparations for defence, he could not deny; but those people hated him, and indeed he had not in all those isles above 200*l.* of his own inheritance. "Which," observes Strafford, "raiseth a new doubt, with me at least, for the earl of Argyle we know indeed, but those other proprietors, whether covenanters or no, is a *non liquet* here, and I am confident it is his majesty's purpose not to have this earl trouble himself with conquering those that, for aught I know, may be good subjects already, though perchance they should possess those lands this lord pretends to have been belonging to his ancestors, methought he said, these thirteen hundred years."

In spite of this admirable exposure of the headlong folly of the Irish chief; in spite of the discovery that amidst all his professions of disinterested loyalty, he claimed for himself a generalship by sea and land, and a troop of horse for his brother,—command of the military stores of the Irish government of every kind, and the power of making levies,

—and above all a loan from his majesty of money more than sufficient for the whole cost of the expedition, to be repaid, at a "reasonable" time;—in spite of the cogent representations made by Strafford of the "sudden outrage" to be apprehended from "so many of the native Irish, children of habituated rebels, brought together without pay or victual, armed with our own weapons, ourselves left naked the whilst,"—of the "scandal" to his majesty's service "in a time thus conditioned, to employ a general and a whole army in a manner Roman catholics,"—of the "affright or pretence" it might give the forty thousand Scotch in Ulster, "to arm also, under color of their own defence," —in spite, finally, of every dictate of wise or honest policy, the king clung to the scheme with invincible pertinacity. It was indeed to be deferred till the following spring; Strafford was to command in chief, and the whole design was to be reduced to a more manageable compass, but still, for the sake of having some one to "shake loose" upon the earl of Argyle and his covenanters, Antrim was to have a commission under the great seal to levy four thousand men out of the wildest septs of Ireland. These "born and bred rebels," as Strafford called them, were moreover to be led by descendants of their ancient chiefs, many of them notorious traitors in former times to the English crown, papists almost without exception, and a considerable proportion still bearing Spanish commissions. The list which Antrim sent in of gentlemen of his own blood who

were to bear commands under him included the names of lord Macguire, of Macmahon, and of Phelim O'Neil, afterwards leaders of the Irish rebellion; he also demanded from the lord-lieutenant, but in vain, the pardon of two noted ruffians of his race who had fled from the punishment due to rape and murder, on whom he wished to bestow commissions. His kinsman Daniel O'Neil, the same who had been called in question for the army-plot, whom Strafford had previously stigmatized as "a very slight and busy person," and accused to the king himself of betraying his secrets, and who was afterwards a formidable actor in the rebellion,—was also a chief counsellor and agent under him.

The convention made by the king with the Scotch, disconcerted for the present the project of an invasion of their country from Ireland; and in the mean time the savage ferocity of the men and the profligate enterprise of their leader found ample exercise at home.

The circumstances just detailed respecting the royal commission actually given to Antrim for the levy of men to be armed from the government stores, corroborates in a striking manner the truth of the "Information" delivered by him to parliament in the year 1650. In this narrative he states, that the king, before the rising in Ireland, had sent one Bourke to the earl of Ormond and himself with a message, that it was the king's pleasure and command, that the troops raised by Strafford should be continued without disbanding, that they should

be made up twenty thousand armed out of the store at Dublin, and employed against the parliament, and particularly, that Dublin castle should be seized and secured. He added, that Ormond and himself had endeavoured to effect a meeting on this business, but were prevented, by the fear of exciting suspicion. In consequence of the disbandment having already been effected, Ormond proposed that one of them should go to court to take his majesty's instructions, and suggested that it should be Antrim, whose appearance would excite less remark than his own who was a stranger there. He objected however to going without Ormond, and preferred sending a captain Digby, who met the king at York, in his way to Scotland, and received from him the following instructions: That all endeavours should be used for reassembling the disbanded men, and "that an army should immediately be raised in Ireland that should declare for him against the parliament of England, and do what was therein necessary and convenient for the service:" That he spoke on this business to lord Gormanston and others of the Pale, but that through the folly of some of the conspirators the rising took place prematurely, otherwise they would have seized Dublin castle, secured the lord-justices, and compelled the parliament, then sitting, to declare for the king[a].

In the mean time, the example of successful resistance in Scotland, and the distracted state of

[a] See Append. to Clarendon's *Hist. of Rebellion in Ireland.*

public affairs in England, had emboldened the native Irish to enter into a wider and deeper conspiracy than the royal one, aiming at nothing less than the extirpation or total expulsion of the British settlers; the resumption of all lands by the native tribes; the abolition of protestantism; the reestablishment of the religion of Rome, the complete emancipation of the country from the control of the English parliament, and perhaps eventually even from the dominion of king Charles. Strafford had received early intimations of some such design, which probably aggravated his distrust of Antrim, and increased his averseness to placing power in the hands of the native chiefs. Charles himself had afterwards, through secretary Vane, admonished the lord-justices to vigilance on account of intelligence which he had received of an unusual flocking of priests and Irish officers in foreign service to that country, and of a menaced rising in Munster. The main design however remained undiscovered, and even unsuspected, up to the very eve of explosion.

The plan of this national insurrection is said to have originated with Roger More of Ballynagh in Kildare, a person who, claiming an ancient descent, thought himself entitled to wrest by violence from English settlers, or their posterity, the lands which had once been possessed by his ancestors,—that is, by the whole of their sept in common,—of which a very slender portion had descended upon himself. On communicating his project to the Ulster chiefs,

especially to Macguire and to Phelim O'Neal, who on the death of the son of the noted Tyrone had succeeded to his station and influence, he found them already in a state of preparation to take arms, owing to the previous undertakings of Antrim; and it was agreed, that the post of general should be conceded to O'Neal, and that the first rising should take place in Ulster and in Dublin. There is reason to believe, however, that ramifications of the plot extended into all the provinces, and that some knowledge of it was communicated to a great part of the chiefs of the Pale, to some of the catholics of England, and probably to certain foreign princes.

That Antrim was acquainted with it, his subsequent conduct sufficiently proves; but he wanted influence to procure an exact concurrence between the measures of the conspirators and those with the execution of which he had himself been charged by the king. His enterprise was not to take place till the meeting of the Irish parliament in November; but the impatience of More and his followers could not be so long restrained. The 23rd of October was the day fixed by them for the surprise of Dublin castle, which was to be attempted by two hundred chosen men. Several of the principal leaders had arrived in the city from different quarters, and all things were in readiness when, on the very night before, a gentleman named Owen Conolly, of pure Irish blood, but protestant faith, whom the conspirators had been endeavouring to engage in their cause, broke from them with great difficulty, and came

and revealed the plot to Sir William Parsons. Just sufficient time was thus gained to secure the castle, to set guards in all parts of the city, and to take measures for the arrest of all strangers found within it. Macmahon, Macguire and about thirty more were in consequence apprehended; torture was applied to them without scruple, and Macmahon confessed the whole on the rack, adding, that although their design on the capital had failed, no human power could now prevent the fall of the other places of strength which were to be attacked, and that his own fate would be amply revenged.

These denunciations were fatally verified. Intelligence speedily arrived of the capture by surprise of most of the forts in Ulster, and the advance of Phelim O'Neal at the head of about thirty thousand men. Encouraged by these first successes, part of Connaught and several counties in Leinster immediately joined in the insurrection, which still went on extending. Dublin was menaced both from north and south, and by the beginning of December, even the five counties of the Pale which the lord-justices had intrusted with arms to quell the insurrection, had united themselves to their brother papists.

The first steps of O'Neal were attended with some slight appearances of moderation. The English were indeed stripped of their lands, robbed of their goods, and even of their clothes, and in an inclement season they were turned out of their dwellings, which they often saw burned to the ground; but it was not till they were at once exasperated

and alarmed by the news of the failure and capture of their chiefs at Dublin, that the infuriated barbarians began to glut themselves with indiscriminate slaughter.

Without entering into the details of scenes of outrage and cruelty utterly revolting to human nature, or attempting the hopeless task of arbitrating amongst the widely diverging estimates of the thousands of men, women and children, who miserably perished of cold, famine, torture, or in the widespread and long-enduring massacre, it may in general terms be stated, that every insult, every enormity which can be imagined to proceed from the perfidy and ferocity of a barbarous people, burning to retaliate upon conquerors whom they detested, and heretics whom their priests instructed them to execrate, the wrongs of ages of misgovernment, was unsparingly perpetrated upon the defenceless, unsuspecting, and for the most part, unoffending English planters.

Nearly destitute of force, and so encompassed with treachery that they knew not whom to trust, the lord-justices, having dispatched urgent applications for succours to England, attempted little more in the mean time than to preserve Dublin, in which they shut themselves up, and thus secure some asylum to the plundered, naked, and famishing multitudes who hurried in from every side. Effectual resistance was however offered to the progress of the rebels in several directions by detached bodies of the royal troops, who gave no quarter

where they proved superior; and the fortified towns which received sufficient warning to shut their gates, were usually able to repel a tumultuary host destitute of every requisite for carrying on regular sieges.

On the whole, however, the insurrection grew daily more formidable and extensive, whilst all efforts on the part of the provincial authorities for its suppression were paralysed, and the whole administration of the lord-justices rendered vacillating and feeble by O'Neal's production of a royal commission as the warrant under which he acted. In this instrument, described in O'Neal's proclamation as dated from Edinburgh, October the 1st, and sealed with the great seal of *Scotland*, the king, addressing himself to all his catholic subjects of his kingdom of Ireland, informs them, that he has for a long season been compelled to take up his abode in Scotland, by reason of the obstinate and disobedient conduct of his English parliament, who had not only disposed of his princely rights and prerogatives, but possessed themselves of the whole strength of that kingdom, by appointing governors, commanders and officers in all places against his consent, and that he saw cause to fear that the like enterprises would be extended, by "the vehemency of the protestant party," to Ireland. Wherefore, he empowers them freely to assemble and consult together, for the effecting of the great work *which he had mentioned and directed them in his letters*, and to use all politic ways to possess themselves, for his use and safety, of all forts, castles and places of

strength within that kingdom, excepting those held by the Scotch. And also, to arrest and seize the goods, estates, and persons of all the English protestants to his use[a].

It might be thought that the tenor alone of this portentous document, especially of the last article, was sufficient to stamp it as a forgery; and as such it has been treated not alone by Clarendon and other professed advocates of Charles, but in modern times, by at least one writer of unquestionable acuteness, who has judged him with more impartiality[b]. Yet our knowledge of the secret measures of the king with the earl of Antrim for the purpose of procuring the enlistment of a body of native Irish for his service,—the difficulty of conceiving by what means an impression of the great seal of Scotland should have fallen into the hands of Irish forgers, —the remarkable fact that just at this crisis that seal, being without a regular keeper, was peculiarly accessible to the king himself,—the date of the instrument accurately coinciding with the departure of lord Dillon, attended by a number of Irish captains, from Edinburgh for Ireland,—the reference made in it to accompanying letters of instruction sent by his majesty, which apparently O'Neal must have had to produce to his associates, are all of them circumstances capable of raising strange suspicions; and on the whole it may perhaps be more reasonable to regard the copies which we at present

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[a] Rushworth, iv. 400. [b] See Lingard, x. 156.

possess of this instrument, as interpolated in some of their clauses, than entirely fictitious[a].

Nor was this the only document of the kind which the rebel leaders had to exhibit. We are informed that when lord Musquerry, early in the rebellion, was marching upon Limerick at the head of three thousand men, finding that the brave and loyal sir William St. Leger, lord-president of Ulster, was preparing to give him battle with such forces as he had been able to collect, he sent to him a trumpet, with one Walsh, a lawyer, who desired to be admitted to a private conference. "He then told that lord, that his lordship ought to take heed of fighting against them, for lord Musquerry had a commission from the king for what he did, and by virtue of that commission had raised men to assist the king in all extremities; and that if he might have a safe-conduct he would bring the commission to him under the great seal, and show it to him at his house the next morning." He did so accordingly; and St. Leger being, much against his will, convinced of its genuineness, on dismissing Walsh, declared to several noblemen by whom he was accompanied, that Musquerry really had a commission to levy four thousand men, and that he would dismiss his troops and stir no more in the business, saying he would die before he would be a rebel." It is added, that the lord-

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[a] See Godwin's *Hist. of the Commonwealth*, i. 225, *Note*, and the numerous authorities there adduced. See also an elaborate note in Brodie's *British Empire*, iii. 190.

president "took this matter so much to heart that he never held up his head afterwards, but within a short time died." The author of this narrative, Morrice, the biographer of lord Orrery, concludes with saying, that this nobleman alone, of those present, persisted in thinking the commission a cheat, "as he afterwards found it." But we are not told how he found it to be such[a].

Lord Musquerry, it should be noted, was one of the principal nobles of Ulster, and brother-in-law to the earl of Ormond, and he had been one of the Irish committee. Assurances were afterwards conveyed to him by the lords Taaffe and Dillon, that the king was pleased with his actions, though he could not as yet avow him; and how much Dillon himself enjoyed the royal confidence appeared on his return to Ireland from Scotland, just before the explosion of the rebellion, by his bringing an order from the king for his admission to the privy council,—he being the first Roman catholic admitted to such an office of trust[b].

"Macmahon, who was to join the lord Macguire for the surprising the castle of Dublin, being taken and examined at the rack, confessed that the original of the rebellion was brought to them out of England by the Irish committee employed to his majesty for

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[a] Godwin, *ubi supra.*

[b] Strafford had previously resisted the admission of lord Nethisdale on this very ground, giving strong reasons for his opposition.—*Strafford Letters*, i. 367.

the redress of grievances. Also, it was the general profession of the rebels in all parts of that kingdom, that their rising was to preserve his majesty and the queen from being oppressed by the puritan parliament, and that it was by their consent.....that they had good warrant in black and white for what they did..... That they had their party both in England and Scotland, which should keep both kingdoms so busy at home, that they should not send any aid against them; with a multitude of such like expressions from the Irish of the best quality and degree[a]."

Antrim, it is fair to state, who joined the rebels immediately after the failure at Dublin, declared in his examination, before cited, that he knew nothing of any commission to O'Neal; and this instrument, true or false, was soon laid aside by the rebels, who were in truth far more intent upon objects of their own than upon those of the king of England.

In the correspondence between the king and Nicholas, we find Charles, immediately after the first news of the rebellion had reached him, remarking, with reference to a project of the commons for again bringing in a bill against bishops' votes, which the lords had rejected: "I hope this ill news of Ireland may hinder some of these follies in England[b]." To the numerous subsequent informations of his secretary respecting this momentous affair, and the proceedings of the parliament respecting it, he makes

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[a] Rushworth, v. p. 349.

[b] Evelyn's Append. p. 45.

no return whatever:—An apt illustration of the justice of that severe imputation on the policy of the king conveyed to Nicholas himself three or four years after in a letter from lord Clarendon, then in exile and engaged in the composition of his History: "I must tell you," he says, "that I care not how little I say in that business of Ireland, since those strange powers and instructions to your favorite Glamorgan, which appear to me so inexcusable to justice, piety, and prudence. And I fear there is very much in that transaction of Ireland, both before and since, that you and I were never thought wise enough to be advised with in. O! Mr. Secretary, those stratagems have given me more sad hours than all the misfortunes in war which have befallen the king, and look like the effects of God's anger towards us[a]."

The publication of O'Neal's commission was soon met by a counter-proclamation on the part of the lord-justices, protesting against the guilt of the rebels in traducing by seditious and scandalous rumours both the king and the state, asserting their own full powers from his majesty to prosecute and subdue such rebels and traitors, and warning all faithful subjects not to be deluded by their false pretexts[b].

In spite of this measure on the part of functionaries thought to be little in the favor or confidence of their master, the genuineness of the commission,

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[a] *Clarendon State Papers*, ii. 337. [b] Rushworth, iv. 400.

and the encouragement of many kinds given both by the king and queen to the enterprises of the papists, continued to be very generally believed in. The tardiness of Charles in branding the Irish insurgents with the name of rebels, was pointedly contrasted with the eagerness which he had formerly evinced to impose that stigma on the covenanters of Scotland; and when at length he was induced to issue a proclamation against them, it was of so mild a tenor, containing "as well matter of grace and pardon as declaration of treason," that the lord-justices desired to restrict the communication of it to such individuals as they, on the spot, should judge fit to receive it; and in consequence only forty copies of it were sent them[a].

We now revert to the court of England.

Great pains had been taken by the queen to obtain for her consort a respectful and affectionate reception on his return to London; and the election of a loyal lord mayor having been previously secured by a dextrous manœuvre, this object was fully accomplished. A sumptuous entertainment was given at Guildhall on the occasion to the king and queen, the royal children and the court; the speeches of the lord mayor and recorder breathed nothing but devoted attachment to the sovereign; the city put on her festal array to greet her prince, and all causes of complaint and suspicion being laid asleep for the occasion, a stranger might for one day have

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[a] *Clarendon State Papers*, ii. 337.

believed that he beheld in Charles the favorite of his people. The king himself seems to have admitted the flattering delusion, and under its influence to have precipitated himself into measures fitted to arouse slumbering jealousies.

Having repaired to Hampton Court, he proceeded to dispossess sir Henry Vane of the office of secretary of state, having already taken from him the treasurership of the household to confer it upon lord Saville, the notorious betrayer of the councils of the popular party: He also dismissed the guard with which the two houses had thought fit to surround themselves on the news of *the Incident*, and soon after issued a proclamation "for obedience to be given to the laws established for the exercise of religion."

The commons on the other hand, supported by the adherence of the citizens of London in opposition to the efforts of the lord mayor and aldermen, proceeded to frame a petition to be presented to the king together with the large remonstrance on past grievances which they had in store. Respecting the remonstrance itself, sir Philip Warwick thus writes: "It passed so tumultuously two or three nights before the king came to town, that at three of the clock in the morning, when they voted it, I thought we had all sat in the valley of the shadow of death; for we, like Joab's and Abner's young men, had catched at each others locks and sheathed our swords in each others bowels, had not the sagacity and great calmness of Mr. Hampden prevented it, and

led us to defer our angry debate until the next morning[a]." The majority by which it was at length carried consisted of no more than nine. Oliver Cromwell, then rising into notice, whispered to lord Falkland as they left the house, that had it been lost he would have sold all he was worth the next morning, and never have seen England more; and he added that he knew many honest men were of the same resolution[b]. This was in fact the grand trial of strength between the court and the country parties, and the result had so emboldened one and disheartened the other, that the petition, strong as was its language, now passed with little opposition.

It complained of a "wicked and malignant party," which was possessed of sufficient influence to have introduced its instruments into the privy council and many offices of trust and nearness about his majesty, the prince of Wales, and the rest of his children. To this party it imputed the rebellion of the Irish papists and various other mischiefs, and in order to its discouragement entreated his majesty to take away the votes of the bishops, to restrict their power over the clergy, and to suppress needless ceremonies: That he would also remove from his counsels such men as had concurred in pressures on the people, and choose in their place those in whom the parliament might confide; and that he would forbear to alienate (meaning probably to catholics) any lands forfeited by rebellion in Ire-

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[a] Warwick's *Memoirs*, p. 201. [b] *Hist. Rebellion*, ii. 43.

land. On the fulfilment of these requests the petitioners tendered earnest assurances of their loyal endeavours to render him a great, glorious, and happy prince.

The king having just at this time given fresh offence by interfering with a bill in progress for raising troops for Ireland, the remonstrance and petition were printed without delay, and diligently circulated amongst the people, to whom, rather than to the king, their contents were directed.

Notwithstanding the irritating nature of these addresses, which were the more formidable for containing little or nothing but truth, Charles was prevailed upon to return, in the name of himself and his council, a temperate and cautious answer, remarkable as the first of his public papers which confessed the skilful hand of Hyde. This eminent person, in relating the manner of his introduction to public life, informs us, that the king, a little before his departure for Scotland, had sent for him by Mr. Percy and thanked him for his loyal exertions in the house, and most of all for the attachment which he had displayed to the church. That after this he spoke of "the passion of the house, and the bill brought in against episcopacy," and asked him if he thought they would be able to carry it. Hyde answered, he believed not, at least it would be very long first. "Nay," replied the king,—and the anecdote proves how much he was elated with the hopes inspired by his secret projects,—"if you 'll look to it that they do not carry it before I go for

Scotland; . . . . . I will undertake for the church after that time[a]."

During the king's absence, on Nicholas's report to him of the opposition made by lord Falkland, Hyde and others, to a motion for addressing his majesty to choose his ministers and great officers by consent of parliament, they had all received his special thanks. Thus encouraged to further services, Hyde had drawn up the paper before adverted to, and shown it to lord Digby, then a favorite counsellor, who,—much against the wish and expectation of the writer, as he has thought it necessary to protest,—mentioned it to his master, who absolutely commanded it to be brought to him, and honored it by his immediate adoption[b].

It seems to have been principally by the arguments and persuasions of Hyde, that lord Falkland was about this time induced to break entirely with the popular party, and some time after, to accept an office for which he felt his unfitness in many respects, that of secretary of state. Colepepper, likewise, had deserted his former associates and become chancellor of the exchequer; and the king and queen, in a secret interview, urged upon Hyde the acceptance of the post of solicitor-general, of which they were eager to dispossess St. John. He declined it however, on the plea of unfitness, but probably from fear of the resentment of parliament; and "the king having at the same time re-

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[a] *Life of Lord Clarendon*, p. 21 et seq. folio edit. [b] *Ibid.*

solved to remove another officer who did disserve him notoriously, and to prefer Mr. Hyde to that place, with which *their* gracious intention *both their majesties* acquainted him, he positively refused it; and assured both their majesties, that he should be able to do much more service in the condition that he was in." Upon this the king reiterated a former command, that Falkland, Colepepper and Hyde should meet constantly to consult on his affairs, and conduct them the best way they could in parliament, and he solemnly promised that he would in future take no step without their advice. In consequence, they assembled nightly in consultation, and their meetings being held at the house of Hyde, he acquired amongst the popular party, who speedily gained intelligence of the circumstance, the odium justly due to an unofficial, and consequently irresponsible adviser of the crown; and, as he complains, bore with the public the blame of those desperate measures of which, perhaps with equal injustice, he has himself stigmatized his friend Digby as the fatal counsellor.

The new difficulties of Charles's situation, arising from the failure and detection of his various ill-concerted intrigues, had the unfortunate effect of alienating him from all prudent or conscientious advisers, and throwing him more and more upon the supporting sympathy of his queen; from whom his rash projects could have no check, and his moral obliquities no reprehension to apprehend. "Albeit," says Hyde of the noble Falkland, "he had the

greatest compliance with the weakness and even the humour of other men, where there could be no suspicion of flattery, and the greatest address to inform and reform them, yet towards the king, who many times obstinately adhered to conclusions which did not naturally result from good premises, and did love to argue many things to which he would not so positively adhere, he did not practise that condescension; but contradicted him with more bluntness, and by sharp sentences; and in some particulars (as of the church) to which the king was in conscience most devoted: and of this his majesty often complained; and cared less to confer with him in private, and was less persuaded by him than his affairs, and the other's great parts and wisdom would have required[a]." Colepepper indeed, a man of far inferior moral qualities, but sagacious, ready, decided, and an artful flatterer under the guise of bluntness, contrived to obtain greater influence; but it was partly by cherishing the sanguine and often visionary hopes and schemes of the king, partly by working upon the ready terrors of the queen by tragical representations, in which he excelled, and at the same time affecting to consult her judgement on all affairs; and especially by a complete understanding with John Ashburnham, a gentleman of the bedchamber whom the king loved and trusted very much[b].

Madame de Motteville in her curious detail of the

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[a] *Life of lord Clarendon*, p. 24. [b] *Ibid.*

wild alarms and busy manœuvres of Henrietta at this juncture, derived from her own information, has done much towards supplying us with a clue to the conduct of her husband. She relates that during the king's absence in Scotland, the parliament separated the royal children from the queen lest she should make them catholics; and that they tried to frighten her into leaving the kingdom by making her believe they intended to carry her off. They ordered a gentleman who commanded a village in which her palace was, to hold himself in readiness with a number of *his peasants* armed, and prepared to serve the king at their command. He was to be in waiting till midnight in Oatlands park, where he was told that he would find some cavalry and officers who would prescribe to him what he was to do. The gentleman brought this order to the queen, and promised to be faithful to her. She told him not to obey the parliament but to remain quiet; meantime, without being affrighted, she sent to her principal officers, who were in London, to come to her before midnight with all the force they could make; and in the meantime armed all her servants, down to the scullions. She then went out into the park, betraying no signs of fear, and the night passed away without any appearance of the design of the parliament, except that some twenty men, very ill mounted, seemed to hover about the park[a].

[a] This pretended order seems to have been a trick put upon Henrietta by some of her courtiers. In a declaration addressed

"She had already won back Goring, and sent him word to be prepared at Portsmouth, of which he was governor, as he might perhaps soon see her there. She ordered relays to be kept in readiness in case she should be obliged to fly, but she resolved to wait till the last extremity, thinking it sufficient to have made her preparations. Finally, she sent to lord Digby to collect a hundred gentlemen among his friends to remain about her, which was done. The better to disguise these precautions, she went to Hampton Court where she had near her a nobleman who always kept a great number of fine horses; and she had her own also placed in his stables, to be ready. Having taken these steps, she remained in quiet, and so far from her being molested, great apologies were made her for the extraordinary order sent to *her village*; and all the members denied having any concern in it.

"She was now diligent," continues Madame de Motteville, "in gaining partisans to her husband, and won over the lord mayor. On the king's return from Scotland she went to meet him and to apprise him of the compliant disposition of his sub-

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to the king by the parliament in March following, they mention "The speeches alledged to be spoken in a meeting of divers members of both houses at Kensington, concerning a purpose of restraining the queen and prince, which, after it was denied and disavowed, yet your majesty refused to name the authors, though humbly desired by both houses." Rushworth, iv. 531. Lord Newport seems to have been the person to whom this design was imputed.

jects. The royal family were received in London with great marks of loyalty, and the king resolved to take advantage of this state of things, to seize the leaders of the house of commons. He intrusted his plan to few but the queen," &c.

Here then we gain, to all appearance, a true account of the occasion and author of that irretrievable act of the king's, the attempted seizure of five members of parliament within the house itself. The plan was evidently his own; it was encouraged by the queen through a vain confidence in the efficacy of her own futile intrigues with men of no weight; and the part taken in it by Digby, or any other courtier, can only be regarded as secondary[a]. Hyde very intelligibly disclaims for himself and his two associates all share in this fatal transaction, as in two or three others of a very sinister augury by which it was preceded. One of these was the displacement of the faithful Balfour from his post of lieutenant of the Tower, and the substitution of sir Thomas Lunsford, "a man," says Clarendon, "though of an ancient family in Sussex, was of a very small and decayed fortune, and of no good education; having been a few years before compelled to fly the kingdom, to avoid the hand of justice for some riotous misdemeanor; by reason whereof he spent some time in the service of the king of France, where he got the reputation of a man of

[a] See remarks on the seizure of Eliot and Digges in the present work, chap. iv.

courage, and a good officer of foot ..... but so inferior to many others, and was so little known, except upon the disadvantage of an ill-character, that, in the most dutiful time the promotion would have appeared very ungrateful." And he goes on to ascribe the choice to lord Digby, "who, having some secret reason, which was not a good one, to fill that place in the instant with a man who might be trusted..... suddenly resolved upon this gentleman, as one who would be faithful to him for the obligation, and execute any thing he should desire or direct[a]." The citizens, justly alarmed, immediately petitioned the king for the removal of a lieutenant with whom the merchants thought their bullion sent to be coined, and the other inhabitants their lives and liberties, insecure; and they immediately forwarded a request to lord Newport, the constable of the Tower, in whom they had confidence, to sleep constantly within that fortress. Charles on this found it expedient, with some loss of dignity, to substitute sir John Byron to Lunsford; but he deprived lord Newport of his office, and we shall afterwards find Lunsford embarked in strange designs.

Another incident fitted to excite strong sensations, was the memorable protest of the bishops. We have seen the eagerness with which the king had seized, and the obstinacy with which he pursued, the suggestion of Nicholas that the vacancies of the

[a] *Hist. Rebellion*, ii. 122.

episcopal bench should be filled up. It was avowedly for the sake of obtaining their parliamentary support, a support which he was now in imminent danger of losing by the suppression of their votes, that he had ordered the patents of the new prelates to be expedited; and from this circumstance, combined with the fact that the Scottish bishops had formerly subscribed a protest of similar effect by his direction, we can scarcely avoid ascribing to himself primarily the suggestion of a plan by which the order he so much revered was to be rendered instrumental to a great stroke in politics. It was archbishop Williams however, who stood forth the responsible author of a measure to the hazards of which he was apparently blinded by the pride and anger in which his disposition abounded.

Since the dismissal of the earl of Essex's guard from its attendance upon the parliament, the immediate neighbourhood of the houses had become a constant scene of tumult and disorder. The zealous citizens who daily surrounded Westminster Hall with vehement cries of "No bishops!" to the terror, and perhaps danger, of the spiritual lords in their passage to and from the house, were encountered, and several of them wounded, by a small band of soldiers of fortune and other desperadoes under the orders of Lunsford. A reinforcement of London apprentices, armed with swords in addition to the clubs which were their ancient weapon, coming to support or avenge their friends, were opposed by fresh recruits to Lunsford's troop from the ranks of

the lately disbanded regiments; by which accession it was swelled to a formidable body which, not content with wreaking its fury on the crowd, threw out furious and insolent menaces against the parliament itself.

Williams, in making his way through this press, was provoked to seize with his own hands one of the brawlers against prelacy; the man was rescued by his comrades; the archbishop regained his deanery house; and thence dispatched summonses to his episcopal brethren, which eleven of them obeyed, to affix their signatures to a "petition and protest" which he produced, to be delivered, with his majesty's sanction, to the house of lords, and by which, setting forth that their resort to the house was barred by violence, the bishops declared null and void all that should be transacted in parliament during their absence. Charles, without a pause, transmitted this paper by the lord keeper to the upper house, where it was welcomed with triumph by the enemies of episcopacy. Without even a debate, the lower house was summoned to a conference, and the protest communicated to them under the character of one "of dangerous consequence and deeply intrenching on the fundamental principles and being of parliament." The commons retired, but in half an hour reappeared at the bar of the lords to impeach the twelve subscribing bishops of high treason, and demand their immediate committal to the Tower. In their own house this strong measure had been carried without objection,

if we except the remark of one member, that the bishops were not, he thought, guilty of treason, but being stark mad, ought to be committed to Bedlam. The peers assented with equal unanimity, and the same evening they were all in custody.

To jealous minds, the very rashness of the prelates ministered matter of alarm. Nothing, it was apprehended, but secret assurances of firm support could have animated them to an attempt so desperate. Blind rumours of plots flew from mouth to mouth, some, perhaps, invented by the designing, and all propagated with exaggeration by the credulous, the angry and the affrighted; but still based on solid grounds of suspicion. Each party exerted itself to animate its adherents and fix imputations on its adversaries by means of the powerful machinery of addresses, declarations and other public appeals. The citizens of London set the example by a petition to both houses, showing, that since their loyal and affectionate entertainment of the king had been misinterpreted by evil-disposed persons as if they would wholly adhere to him and desert the parliament, they declared the contrary, and would live and die with them for the good of the commonwealth. Similar addresses followed; and such multitudes went up with them, that the king, by a message to the common council, complained of the daily resort of tumultuary assemblies of people to Westminster, to the disturbance of that place, and of his palace of Whitehall; whilst on the same day the parliament petitioned him for a guard

to their persons under the earl of Essex, on account of a malignant party bitterly envenomed against them which daily gained strength and confidence, and now dared even to threaten them.

To this petition Charles returned a negative as far as the commander was concerned, but declared, and as usual, on the word of a prince, that the preservation of every one of them from violence was, and should ever be, as much his care as the security of himself and his children; and added, that should this general assurance not suffice, he would command such a guard to wait on them as he would be answerable for to almighty God[a].—But this proposition they wisely declined.

It was on the very next day, that the attorney-general, entering the house of lords, in the king's name impeached of high treason the lord Kimbolton, a member of that house, and five leading members of the other; Pym, Hampden, Hollis, Strode, and Hazlerig, whom he charged, on his majesty's own authority, with attempting to subvert fundamental laws, to deprive the king of his prerogative, and to set up an arbitrary power; with laying on his majesty many foul aspersions calculated to alienate the affections of his subjects from him, attempting to draw his late army into disobedience, seducing the parliament to concur in their designs, inviting a foreign power to invade the country, and raising tumults and levying war against the king. The

[a] May, p. 90.

house stood aghast at a proceeding wanting in every form and circumstance of legality, and in which the king himself was seen acting without the intervention of either minister or warrant; and lord Kimbolton, for whose committal no one would move, protested his innocence, and demanded a trial public as his accusation. In the meantime, persons had been dispatched from court to seal up the trunks and the doors of the accused, and a serjeant at arms entering the house of commons demanded the persons of the five gentlemen. This assembly, already informed of the invasion of the homes of their members, had given orders for the apprehension of the perpetrators, and was actually engaged in a debate on their violated privileges. They ordered the serjeant at arms to withdraw, and then informed his majesty by a deputation, that in a matter importing no less than the liberties of the whole commons of England, they must take time to deliberate, but that their members should be forthcoming to answer any legal charge.

The same evening the king, who had previously engaged the gentlemen of the inns of court to form themselves into a guard for his service, sent to them to be at home and in readiness on the morrow, adding a copy of his charge against the members. In the morning, January the 4th, the house met, the accused entered; and information was received that they were to be taken away by force. Notice was thereupon given to the lord mayor and corporation of the threatened danger to the privileges of the house

and the peace of the capital, and they were advised to stand upon their guard. Some members were likewise sent to acquaint the students at law that the house was aware they were tampered with by the king, and to desire them not to come to Westminster. The house then adjourned till one o'clock. On its reassembling, it was proposed, that for the avoiding of all tumult, the five members should have leave to absent themselves, and they quitted the house. "A little after," writes a member who was present, "the king came with all his guard, and all his pensioners, and two or three hundred soldiers and gentlemen. The king commanded the soldiers to stay in the hall, and sent us word he was at the door. The speaker was commanded to sit still, with the mace lying before him, and then the king came to the door, and took the palsgrave in with him, and commanded all that came with him upon their lives not to come in. So the doors were kept open, and the earl of Roxborough stood within the door, leaning upon it. Then the king came upwards towards the chair with his hat off, and the speaker stepped out to meet him; then the king stepped up to his place, and stood upon the step, but sat not down upon the chair.

"And after he had looked a great while, he told us he would not break our privileges, but treason had no privilege; he came for those five gentlemen, for he expected obedience yesterday, and not an answer. Then he called Mr. Pym and Mr. Hollis by name, but no answer was made. Then he asked

the speaker if they were here, or where they were? Upon this the speaker fell on his knees, and desired his excuse; for he was a servant to the house, and had neither eyes nor tongue to see or to say anything but what they commanded him: Then the king told him that he thought his own eyes were as good as his, and then said his birds were flown, but he did expect the house should send them to him, and if they did not, he would seek them himself, for their treason was foul, and such a one as they would all thank him to discover: then he assured us they should have a fair trial; and so went out, pulling off his hat till he came to the door[a]."

The extraordinary scene being thus closed, the house instantly adjourned to the next day, when they ordered a committee to sit at Guildhall, to consider of the means of repairing their broken privileges, and till this were ended would entertain no other business, except that a committee still sat on the affairs of bleeding Ireland.

Madame de Motteville, after stating that the king intrusted his plan against the parliamentary leaders to few besides the queen, thus pursues her narrative. "She was impatiently awaiting news from the house: at length, thinking that the hour was past, and the stroke made or missed, she said to lady Carlisle, Rejoice! for I hope that the king is now master in his states, and such and such are

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[a] Notes of sir Ralph Verney in Hallam's *Constitut. Hist.* i. 588. *Note.*

in custody. Lady Carlisle immediately sent intelligence to the house, where it arrived in time. The queen owned her indiscretion with great penitence to her husband, who forgave her."

That Henrietta betrayed the confidence of her spouse, and that he not only forgave her, but had the miserable weakness to continue to confide to her his most important affairs, we cannot doubt, but it is probable that on this occasion the first intimation was conveyed by others.

It is clear from the relation of sir Ralph Verney, above quoted, that even before the morning adjournment the commons were aware that a forcible seizure of the members was designed, and Montereuil the French ambassador mentions that he had himself given warning to his friends[a]. Clarendon affirms, but erroneously, it is plain, that the design was only consulted between the king and the lord Digby, by whom he says, it was thought to be disclosed to William Murray of the bedchamber, who betrayed it. In fact, the intelligence seems to have reached the house from various quarters. That it did so from any quarter was happy. The reckless band which accompanied the king waited only, as it appeared afterwards in evidence, for "the word to be given," to rush into the house of commons sword in hand: An assembly of English gentlemen, also armed, would not have suffered five of the most distinguished of their body to be seized and carried

[a] Mazure, p. 429.

out from amongst them by lawless force, without a severe struggle; and to whichever side victory had then fallen, so frightful a contest could scarcely have failed to impress on the approaching war, which in all probability it would have precipitated, a character of inveteracy, springing out of feelings of private vengeance, from which by this prevention, it remained free.

Charles did not immediately on this disappointment relinquish his design upon the persons of the parliamentary leaders. He sent orders to stop the ports to prevent their escape; as if he had really believed that a consciousness of guilt would have impelled them to abjure the realm; whilst he well knew that they had all taken refuge in a house in the city, the strong hold of their party. Rejecting, probably as impracticable, the daring offer of lord Digby to go with Lunsford and a few of his band and seize them there alive or dead, he then determined to attempt the milder, but certainly not more hopeful expedient, of urging the citizens by the force of his rhetoric, or the awe of his presence, voluntarily to surrender their honored guests; and having sent orders to the lord mayor to summon a common hall, he on the following morning entered the city almost unattended and proceeded to Guildhall. On his way, the cry of "Privileges of parliament, Privileges of parliament!" was often sounded in his ears, and one bold pamphlet-writer threw into his coach a paper on which was written, "To your tents, O Israel!" for which he was committed.

His address to the citizens was in the following terms:

"Gentlemen,—"I am come to demand such persons as I have already accused of high-treason, and do believe are shrowded in the city. I hope no good man will keep them from me; their offences are treason and misdemeanors of a high nature. I desire your loving assistance herein, that they may be brought to a legal trial. And whereas there are divers suspicions raised that I am a favorer of the popish religion, I do profess in the name of a king, that I did and ever will, and that to the utmost of my power, be a prosecutor of all such as shall any ways oppose the laws and statutes of this kingdom, either papists or separatists; and not only so, but I will maintain and defend that true protestant religion which my father did profess, and I will continue in it during life[a]."

The citizens of London had been too severely injured by former arbitrary acts of the king in their corporate, and some of them in their individual capacity, and were too deeply interested in the success of the parliament, to be open to such impressions whether of love or fear, as Charles had here aimed to excite. Little applause and no obedience followed, and after honoring one of the sheriffs by dining with him, he returned in the evening with the mortification of a second failure, which he sought to disguise or to soothe by a peremptory proclama-

[a] Rushworth, iv. 479.

tion against harboring or concealing the persons accused.

Meantime strong resolutions were passed by a committee of the whole house, which had adjourned to the city, condemnatory of the king's proceedings; and a petition in the same strain was presented to him from the citizens, in which the fortifying of Whitehall was complained of, whither military stores had lately been removed from the Tower.

After a few days, the commons determined to resume their sittings in Westminster, and to recall to their house the five members as men against whom there was no legal accusation pending; and great preparations were made for conducting them back in triumphant security. The *posse comitatus* was called out by the sheriffs, and the train-bands were arrayed to attend upon the procession by land. The offer of the London apprentices to act as an additional guard was declined with thanks, but the services of a thousand mariners were accepted, who volunteered to protect its passage by water. "A word," observes a writer on this occurrence, "dropped out of the king's mouth a little before which lost him the love of the seamen: Some being in conference with his majesty, acquainted him that he was lost in the affection of the seamen, for they intended to petition the house, &c. 'I wonder,' quoth the king, 'how I have lost the affection of those *water-rats*[a].'"

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[a] Lilly's *Observations*, p. 61.

With this formidable display of military preparation seconding the warmest demonstrations of popular favor and attachment, the commons on January the 11th resumed their session at Westminster; the king, with his queen and their children, escaping the ominous and mortifying spectacle by a retreat to Hampton Court the day before. This flight, confessedly ignominious, has by some been stigmatized as also impolitic; henceforth victory alone could have opened to Charles a safe and honorable return to his abandoned capital.

CHAPTER XXIII.

1642.

The king's departure from London an era in his reign.—Attempt of Lunsford at Kingston.—He is seized and imprisoned by the parliament.—Lord Digby flies the country.—Portsmouth secured by parliament.—London trained bands called out under Skippon.—Letter of Digby to the queen intercepted,—proceedings of parliament on it.—Hull secured by the parliament.—Departure of the queen for Holland to provide warlike stores.—The king defers signing the militia bill, but passes that for taking away bishops' votes.—Reflexions.—The king's parting promise to the queen.—He proceeds with the prince towards York.—Paper war with the parliament.—His reception of a petition concerning the militia.—Further declarations on this subject, and remarks.—The king at York.—Hyde and Falkland remain in London and for what purposes.—Earls of Essex and Holland deprived of their offices in the household.—Conduct of Falkland.—The lord keeper sides with the king.—Hyde accompanies him into Yorkshire.—Particulars of their journey.—The king and Hyde.—Rapid conveyance of dispatches.—Reception of the king at York.—He is joined by many members of both houses.—The earl of Warwick secures the fleet for the parliament.—Attempt of the king to secure Hull defeated by sir John Hotham.—Resolutions of parliament on the subject.—Parliament puts in force its ordinance for the militia.—The king calls a meeting at York and raises troops.—Votes of parliament in consequence.—Muster of the London trained bands.—The king publishes his commission of array in Yorkshire.—The queen sends supplies from Holland.—Factions in the court.—Adventures of lord Digby.—Hotham tampered with.—Difficulties of the king.—He and his counsellors disclaim warlike designs.—Plate and money sent in at the requisition of parliament.—Money

raised for the king.—The nineteen propositions.—Warlike preparations on both sides.—Essex declared the parliament's general.—The king disappointed of gaining Hull.—Goring declares for him in Portsmouth.—The king provides for his relief,—commands his subjects to join him at Nottingham.—His proclamation against admitting catholics into his army.

THE secession of Charles from his capital forms one of the principal eras of his reign: a writer has remarked that after this time he "never could be brought near the city or parliament either in body or mind." The scission was now complete, and it was obvious to all men that a civil war was not only inevitable but imminent.

The memorialist of the court and character of Charles I., mindful of the just limitations of that theme, and anxious to escape as much as possible from the dry details of political debate, and the sickening ones of a fratricidal warfare, must here draw a firm and decided line; and taking leave of the metropolis and of the proceedings of that important assembly of which it was the seat;—declining also the detail of all military transactions in which the king was not immediately engaged,—must restrict herself to little more than recording with biographical fidelity the devious course, the temporary residences, the complicated negotiations and intrigues, the traits of manners and character, and finally the tragical catastrophe of the devoted prince.

It appeared as if the departure of the royal family was designed to give the signal for an immediate

commencement of hostilities on the part of the loyalists. After escorting their majesties to Hampton Court, Lunsford and his band, two hundred strong, turning aside, made an unexpected and warlike appearance in the town of Kingston in Surrey, where there lay a magazine of arms belonging to the county. Here they were soon after visited and thanked by lord Digby in the king's name, and thus encouraged to invite recruits, and avow a wild project of cutting off the supplies of London. But the two houses, receiving timely notice, assumed authority to raise the force of the neighbouring counties, and to order that the sheriffs throughout England and Wales, calling to their aid the justices of peace and the militia of their several shires, should suppress all unlawful assemblages which might threaten the public peace, and secure the magazines. Lunsford was seized and committed to the Tower, Digby made a precipitate retreat, and soon after, admiral Pennington owned, before a committee of the house of commons, to having carried him over to Holland in his own ship, in consequence of his producing to him a warrant under the sign manual to that effect.

On some indications of a renewal of intelligence between the queen and Goring, and suspicion of a fresh design on the part of her majesty of repairing to Portsmouth, further measures were adopted by parliament for securing the place. Certain steps taken by sir John Byron as lieutenant of the Tower, for strengthening that fortress by additional supplies

of arms and ammunition, excited fresh distrust; and the king having refused to put the command of it in other hands, the two houses called out the Middlesex trained bands for the protection of the City and the parliament, and placed them under the orders of major-general Skippon, a brave and able officer, formed by long service in Holland.

A few days only after the escape of lord Digby, whom the parliament had ordered on pain of treason to return by a certain day, a packet addressed by him to his half-brother sir Lewis Dives was intercepted, and opened in the house of commons, and a letter which it inclosed for the queen was, with little hesitation, likewise unsealed and read. It contained these expressions: "If the king betake himself to a safe place, where he may avow and protect his servants (from rage I mean, and violence, for from justice I will never implore it,) I shall then live in impatience and misery till I wait upon you. But if, after all he hath done of late, he shall betake himself to the easiest and compliantest ways of accommodation, I am confident that then I shall serve him more by my absence, than by all my industry." The letter concluded with an offer to correspond with the queen in cipher, and to do service abroad, for which the writer desired the king's instructions. This dangerous document was immediately communicated by parliament to Charles, with a defence of their own conduct in intercepting a letter which they had good reason to suppose it would be equally dishonorable to her majesty, and

dangerous to the kingdom, that she should receive; and they besought that he would persuade her to keep no correspondence with any traitors or fugitives whose offences were still under the examination of parliament.

Digby's expressions confirmed all previous suspicion that the king was meditating a journey northwards, with the view of setting himself in open opposition to the parliament. The town of Hull, in which, on the conclusion of the Scottish campaign, the arms and ammunition of the royal forces had been chiefly deposited, was seen to be his primary object. A short time before, the earl of Newcastle, when court jealousies had impelled him to resign the office of governor to the prince in favor of the earl of Hertford, and to retire to his estates in Nottinghamshire and Derbyshire, had offered, in token of his unshaken loyalty, to occupy this place for the king, and received a secret commission to this effect. But he had been detected in the attempt to enter the town under a feigned name; and it was this discovery, with subsequent dilatoriness on the part of Charles, which gave time to the parliament to disconcert the royal project. Mr. Hotham, a member of the house, accepted with alacrity a commission from it to carry orders to sir John Hotham, his father, a gentleman of consequence in those parts, to assume the government of the town of Hull in the king's name, but under the condition of obeying no orders except such as should be signified through the two houses of parliament.

A nearer care pressed in fact upon the mind of Charles at this juncture, to which it appears that other objects were sacrificed without reluctance: This was, the safe accomplishment of the queen's departure for Holland.

To persuade, if possible, France and the United Provinces to make common cause in behalf of the king against the parliament, and to provide arms, ammunition, and some recruits of men, for the coming war, were the political objects of this expedition; the motives of Henrietta for undertaking it in person were doubtless a vehement scorn and hatred of the puritans and the parliament, and a burning desire of revenge for the indignities which she regarded herself as having received from them, mingled with no small share of apprehension for her own safety;—a sentiment which that portion of the ministry who viewed her influence over her husband's counsels with a just alarm, may be suspected of taking some pains to aggravate. The pretext for the journey was to conduct the princess to her spouse the prince of Orange. To Charles the separation was a severe trial. He determined to escort the queen to Dover in person; and we have the testimony of Madame de Motteville that it was the time which he lost in this attendance which caused the miscarriage of his design upon Hull. Even after her embarkation he followed the coast four leagues to see her the longer.

The pecuniary embarrassment of the royal household was at this time excessive; the officers of the

customs would advance no money without the authority of parliament; and the queen was obliged to melt down the plate of her chamber for the expenses of her journey. To defray that of her intended purchases of warlike stores, she carried away by stealth the whole of the crown jewels, and sold or pawned them in Holland.

At Canterbury, in his way to the coast, two bills of great, but certainly not equal importance, were presented to Charles for his assent: one for vesting in parliament the sole power of the militia, through lord-lieutenants and deputies of its own appointment, and also the command of all the fortresses of the kingdom; the other for taking away the votes of bishops in the house of lords. To the first, he declined giving any immediate answer; but the second, to the surprise of friends and foes, he signed without apparent repugnance. Clarendon ascribes this concession, which he highly disapproves, chiefly to the counsels of sir John Colepepper; who, failing of persuading his master of the expediency or the justifiableness of such a sacrifice, repeated his arguments to the queen, with the addition "that he exceedingly apprehended, that by some means or other, upon this refusal of the king's, her majesty's journey would be stopped; and that she would not be suffered to transport herself out of the kingdom; and therefore he heartily wished that she would so use her credit with the king, that he might pass that act concerning the bishops, which, he said, would lay such an obligation upon both houses as

would redound to her majesty's advantage[a]." Upon this he affirms that Henrietta importuned her husband till he yielded the point.

The fact, however, that the bill was signed by Charles when the royal pair had already reached Canterbury without the slightest molestation on the part of the people, or remonstrance on that of the parliament, goes a good way towards invalidating this statement, as far as the queen is concerned, and leaves us to seek other motives for the act. Long before this time, Charles had determined *somewhere* to make a stand against the encroachments of the parliament; he was even aware that the ordinance for the militia, in other words the power of the sword, now demanded from him, was that very point on which, rather than recede, he must firmly plant his foot and face the worst. Why then make a previous surrender which must apparently cramp and weaken his own position? The true solution appears to be, that this sacrifice of the political existence of that order which had evinced a more implicit devotedness to his will and his prejudices than any other, was a concession made not so much to the sense of parliament, as to the wishes, perhaps the demands, of the lay portion of his own adherents; who probably indulged the hope, that the impending horrors of civil war might thus be averted by a concession which, for the most part, they would have seen made, not with indifference

[a] *Life of Lord Clarendon*, p. 25.

only, but with satisfaction: For the religious predilections of the king had long since entailed upon the episcopal body no small share of the odium which falls commonly to the lot of royal favorites. According to Clarendon, however, this act was productive of serious inconveniences to the king's affairs. It emboldened those who sought the suppression of episcopacy itself; "it made impression on others whose minds were in suspense and shaken, as when foundations were dissolved. Besides, they that were best acquainted with the king's nature, opinions and resolutions, had reason to believe, that no exigence could have wrought upon him to have consented to so anti-monarchical an act; and therefore never after retained any confidence that he would deny what was importunately asked." "But," adds this apologist of his prince, "I have some cause to believe that ..... an opinion that the violence and *force*" (meaning the tumultuary petitions for the bill,) "used in procuring it, rendered it absolutely invalid and void, made the confirmation of it less considered, as not being of strength to make that act good, which was in itself null. And I doubt this logic hath had an influence upon other acts of no less moment than these: but it was an erroneous and unskilful suggestion; for an act of parliament, what circumstances soever concurred in the contriving and framing it, will be always of too great reputation to be avoided, or to be declared void, by the sole authority of any private persons, on the single power of

the king himself[a]." Here then we have a fresh and remarkable instance of the employment of that miserable plea of force, or necessity, by which Charles sought to reconcile to himself the deliberate and anticipated breach of his plighted faith!

The last words of Henrietta to her husband on his sallying forth from Whitehall to seize the five members, are reported to have been; "Go, pull those rogues out by the ears, or never see my face again!" The same spirit, rather than any desire to render herself a mediatrix, still pervaded her conjugal exhortations; and Charles, on her embarkation, soothed her apprehensions of his failure in resolution by the weak and fatal promise, that he would never come to terms of agreement with his parliament without first apprising her.

It was on February the 23rd that the queen and her daughter set sail from Dover. Three days after, Charles returned to Greenwich; and here by his special command, and in defiance of the opposition of parliament, the marquis of Hertford attended him with the prince of Wales, in order to his accompanying him further on his journey northwards. Proceeding thence to Theobalds, where he was joined by several adherents of rank and consequence, he immediately commenced his progress through Royston and Newmarket towards York.

An incessant reciprocation of papers was maintained for some time longer, between the king and

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[a] *Hist. Rebellion*, ii. pp. 250, 252.

parliament,—which, although Charles still dissembled in some measure his warlike resolutions and preparations, assumed, on both parts, more and more the tone of manifestoes, the trumpets of a coming war. At Theobalds he was met by an urgent petition of both houses, entreating him at length to grant their necessary demand respecting the militia, with an announcement, that in case of his refusal, in these times of distraction, they should be compelled, and were resolved, themselves to dispose it for the safety of the kingdom in the manner which had been propounded to him. They further besought him to return to his capital and parliament, and not to remove the prince to a distance, and ended by informing him, as his great council, that by the laws of England the power of raising and ordering the militia within any city or town could not be granted to any corporation, by charter or otherwise, without the authority of parliament. The last clause bore a reference to a plot lately detected by them for placing the London trained bands at the disposal of the king. A brief answer was returned by Charles asserting his own prerogative in this matter, which the parliament voted a direct denial, and confirmatory of all their apprehensions, and they proceeded to instruct the lord-admiral to give directions for fitting out the fleet for the service of the commonwealth.

At Newmarket, Charles was doomed to receive from the hands of two of his revolted courtiers, the earls of Pembroke and Holland, a declaration of

both houses reiterating many of the topics of the grand remonstrance which had confronted him on his return from Scotland, with the addition of such further topics of complaint as his rash counsels had since supplied. His temper was not proof against this provocation; and, regardless of decorum, he interrupted the reading of certain passages relative to the royal warrants granted for the safe transportation of Jermyn and of Digby, by the exclamations,—"It was false, it was a lie;" and he indignantly complained that this was only an upbraiding, not an invitation or persuasion of him to return to his parliament, adding, "that in all Aristotle's rhetoric there was no such argument of persuasion[a]." On being urged by Pembroke to concede the militia for a time, he passionately replied: "By G—, not for an hour!" His official answer appeared in the shape of a printed declaration, probably from the pen of Hyde.

From Huntingdon he addressed on March the 15th, another message to both houses, communicating his intention to make the city of York his place of residence for some time, and earnestly requesting them to use all diligence in expediting the affairs of Ireland, the reduction of which country he professed to have extremely at heart. He concluded with saying, that as he had been ready to retract any act of his own which as he had been informed trenched upon the privileges of parliament,—he had

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[a] May, p. 105.

in fact declared his abandonment of the prosecution of the five members,—so he expected an equal tenderness on their part towards his known prerogatives, among which he was assured that it was a fundamental one, that his subjects could not be obliged to obey any act, order, or injunction to which he had not given his consent. The parliament on receiving this message were highly exasperated. They expressed their displeasure by a vote declaring those persons who advised his majesty to absent himself from the parliament and to send the above message, enemies to the peace of the kingdom, and justly to be suspected for favorers of the rebellion in Ireland; and they further asserted, that "when the lords and commons in parliament, which is the supreme court of judicature in the kingdom, should declare what the law of the land is,—to have that not only questioned and controverted, but contradicted, was a high breach of the privilege of parliament[a]."

In these decisive votes, and especially in one which declared the ordinance for the defence of the kingdom to be no violation of the oath of allegiance, but what was to be obeyed as a fundamental law,—whilst the king's commands respecting the lieutenancy of the counties were to be held illegal and void,—the parliament, says Whitelock, "received great encouragement and confirmation from the opinions of several members of the house

[a] May, p. 106.

of commons, as Pym, Hampden, Hollis, Stapleton; and of lawyers, St. John, Corbet, L'Isle, and divers others, and chiefly from the confident opinion of the lord keeper Littleton concurring with them. Others, who went along with them, were not yet clear of this opinion[a]." The case, in fact, was as new, as it was momentous, and not to be decided by any reference to precedents or year-books. The *letter* of the law could as little authorize the exercise of authority over the military force of the kingdom by the legislature in opposition to the king, as its *spirit* could sanction the exertion of such authority by the king in opposition to the legislature, and with hostile intentions against his own subjects. A crisis had now arisen which the law could not contemplate, and in which the purest lovers of the constitution found themselves compelled to make their appeal to the fundamental principles of political society.

On his first arrival at York, Charles was attended by no other ostensible minister than secretary Nicholas; the triumvirate who exercised most influence over his counsels, Falkland, Hyde and Colepepper, still continuing in London to perform certain secret services for their master, and to watch the proceedings of the house of commons, where however they only ventured to be seen one, or rarely two, at a time; having received intimations of a design on the part of the leaders to send them to

[a] Whitelock, p. 57.

the Tower as delinquents, or malignants, the first time that all three together should appear in their places. Of the nature of their occupations, Hyde himself supplies us with some memorable particulars.

So long before as the king's first removal to Hampton Court, he had issued summonses to all such officers of his household as possessed seats in either house, to give their attendance upon his person. The earl of Essex was promptly preparing, as lord-chamberlain, to obey this mandate; —according to Hyde he was already equipped in his travelling dress,—when his cousin the earl of Holland, who, as groom of the stole was included in the orders, entered, and strongly dissuaded him from repairing to the court, affirming that both of them, if they went, would be assassinated:—A suspicion, it may be remarked, which, coming from a person so intimately acquainted with the ways of the court, speaks volumes, and seems to bear especially on the character of those partizans, with Digby at their head, by whom the royal pair were at this juncture surrounded. Yielding to the suggestion, Essex joined with his kinsman in representing their case to the parliament, by whom they were commanded to attend the business of the upper house as their more urgent duty, even to the king himself. These defections were deeply resented, especially that of Holland, by his ancient patroness the queen, who regarded his conduct, on this and other late occa-

sions, as the height of perfidy and ingratitude. It had been one article of her parting exhortation to her husband, that he should strip this offender of his office and banish him the court, without which she declared that she herself would never return to it more. The injunction was not forgotten; and Charles, further exasperated by the appearance of Holland at Newmarket as joint bearer of the offensive declaration above mentioned, was no sooner settled at York and cheered by the appearance of a considerable body of adherents, than he transmitted orders to the lord keeper to "require the staff and key from the one and the other, and receive them into his custody." "The keeper," pursues Hyde, "trembled at the office, and had not courage to undertake it." He repaired immediately to lord Falkland, whom he begged to assist him in making his excuses to the king: It was a business, he pleaded, unsuited to his office, and which had never been imposed on a lord keeper before. Should he execute it, the house would vote it a breach of privilege in him, being a peer, and commit him to prison, which would be the greatest affront to his majesty, whereas the thing itself might be done without inconvenience by a more proper officer. These excuses of the lord keeper, together with the expressions of attachment to the royal service by which they were qualified, were transmitted by lord Falkland to the king, who, in reply, desired him to take the business upon himself. "The lord Falkland was a little troubled

in receiving the command: they were persons from whom he had always received great civilities, and with whom he had much credit; and this harsh office might have been more naturally, and as effectually, performed by a gentleman-usher[a]." Yet he conceived obedience his duty; and meeting with the two earls going to the house of lords, he delivered his message to them both together. After a few moments of previous conference with each other, lords Essex and Holland accordingly surrendered their insignia of office into his hands, with few words, and then pursued their way to the house, where the circumstance was commented upon with bitter expressions against evil counsellors; and both houses concurred in a vote that whosoever presumed to accept of either of those offices, should be reputed an enemy to his country.

These dismissals Hyde accounted exceedingly impolitic, as likely to drive to extremities two men of weight and influence, whom it might still have been in the power of the king by judicious management to have regained; the manner of them likewise was rash and unnecessarily irritating; and we may remark that it somewhat lessens lord Falkland to have thus made himself the instrument of his master's choler: But service of a not less dubious nature was undertaken by Hyde himself. Aware of the improbability of his return to London, the king had now become extremely anxious to see within his own reach and

[a] *Hist. Rebellion*, ii. 331, et seq.

control that instrument to which, by the maxims of the English law, a kind of mysterious or symbolical importance has always been attached,—the great seal. With the keeper of it he was also extremely displeased on various grounds. On the attainder of Strafford lord Littleton had declined to vote or take a part, although it was at the special request of that minister, and in consideration of the professional services which he expected from him, that the office of lord keeper and a peerage had just been conferred upon him; from the time of the disastrous attempt on the five members he had decidedly opposed the politics of the court; and to fill the measure of his offences, we have seen him affording to the parliamentary ordinance for the militia the support of his legal opinion. Charles, for these causes, was bent on depriving him of his office; and in his doubt where to find an eligible successor, he turned his thoughts towards sir John Banks, chief-justice of the common pleas, and even towards Selden, pledged as he had long been to the cause of the parliament, as persons whose inclinations might be sounded on the occasion. Hyde and his coadjutors warmly opposed this project. They judged Banks unfit for the office, and Selden unlikely to accept of it; and they endeavoured to convince the king that if the lord keeper were in reality as strenuously on the side of the parliament as his majesty apprehended, he would certainly refuse to deliver up the seals on demand, and throw himself on the approbation and

protection of the two houses,—an event exceedingly to be deprecated. Hyde further declared, that to his own knowledge the lord keeper was loyal at heart, and that if time were given, he had little doubt of prevailing upon him in the end to join the king at York. He tells us that he had already nearly succeeded in determining the alarmed and hesitating lord keeper to this step, when the king, in one of his sudden starts of resolution, dispatched one Elliot, a bold and forward gentleman, with positive orders to go straight to the lord keeper, and in his name demand and bring away the seals. In what manner this commission was executed is somewhat doubtful. Elliot, on producing the seals to the king, boasted that he had extorted them by threats and the exhibition of loaded pistols; the lord keeper, on the other hand, affirmed that he had voluntarily surrendered them, and this statement is supported by Hyde. Be this as it might, it was evident that the lord keeper had so exposed himself by this act to the indignation of the parliament, that a retreat was his only means of safety, and early on the following morning he began in great secrecy his journey towards York. By this step he indeed secured to himself the possession of his high office, of which the king at Hyde's intercession forbore to deprive him; but by the usual fate of the half-honest and half-resolved in times and circumstances too solemn to admit of compromises and middle courses, he found that he had irremissibly offended one party, without securing the gratitude or the confi-

dence of the other. The king said "he liked not his humours, nor knew what to make of him;" he therefore treated him with open disregard, and never ceased to complain of the objections and hesitation which he opposed to all the strong party measures in which his concurrence was required. Littleton on the other hand, distracted with doubts, fears and scruples, dissatisfied with the part he had taken but unable to retract, lost all presence of mind, and even forfeited, in appearance, his established character for professional ability. He followed in the royal train more like a hostage than a great officer of state; and ended two or three years afterwards at Oxford the miserable career of one who, in the words of lord Bacon, "has followed at the funerals of his own reputation."

Finding nothing further to detain him in London, it now became Hyde's first care to make good his escape from the jurisdiction of the parliament. With this view he had retired, under the plea of sickness, to the house of the lady Lee, at Ditchley, when news was brought him of the retreat of the lord keeper, and of a design of some parliamentary leaders to impeach himself of high-treason as the adviser of the step. On this, judging it, as he says, "time to be gone;" and being utterly unacquainted with the way, having never been in the northern parts, and apprehensive that there would be care taken to intercept him if he went in any common road; he entreated Mr. Chillingworth to be his guide, whom he had sent for from Oxford for the purpose, and

who was "well acquainted with those ways which led almost as far as Yorkshire." They accordingly sent on their horses over-night to a village near Coventry, thirty miles off, where Mr. Chillingworth's brother had a farm, and whither the lady Lee's coach-and-six conveyed them the next day. Then taking their horses, they that night, "out of all roads, reached Lutterworth, a village in Leicestershire," where they were kindly received by the clergyman of the parish, also a friend of Mr. Chillingworth's. Passing in the same manner through Derbyshire, they entered Yorkshire and rested at Nostall, the house of sir John Worstenholm, about twenty miles from York, where Hyde remained secreted for some time longer, with the knowledge and approbation of the king, and closely occupied in preparing answers in his name to the papers of the parliament[a]. The motive of this concealment appears to have been his apprehension of a summons from the house to return to his duty in parliament, and of the further proceedings against him there, to which his unavoidable refusal would give occasion. Nothing in fact is more evident, on a close survey of contemporary documents, than that all the men of discernment who at this crisis gave their adherence to the royal cause, did so with fear and trembling; doubtful of the intentions, distrustful of the judgement, the firmness, and even the integrity of their master, and all but despondent

[a] *Life of Lord Clarendon*, part ii. p. 30.

of his ultimate success. We have seen secretary Nicholas fearful of corresponding freely with him respecting the designs of the parliamentary chiefs; the lord keeper hesitating to put the seal to proclamations designed to repress their enterprises by branding them as treasonable; and it appears that the king on leaving London, in order to engage the pen of Hyde in his service, had found it necessary solemnly to engage to transcribe with his own hand all the papers he should send him, and destroy the originals, without communicating them to a single individual. And to this engagement Charles was religiously true, although, as Hyde himself observes, it "had been a wonderful task he had imposed on himself, so that he always spent more than half the day shut up by himself in his chamber writing." At length, however, in the month of June the king found it necessary to command the attendance of his mysterious secretary at York, and this restraint ceased of course.

On the subject of the services performed by Hyde and his two friends to the king, whilst they still remained with the parliament and transmitted to him constant intelligence of its proceedings, a notice respecting the conveyance of their correspondence seems remarkable enough for transcription. "It was a wonderful expedition that was then used between York and London, when gentlemen undertook the service, as enough were willing to do: Insomuch, as when they dispatched a letter on Saturday night at that time of the year, about twelve at night, they

received always the king's answer Monday, by ten of the clock in the morning[a]."

The immediate presence of the king had a considerable effect in calling forth demonstrations of attachment to his person, though not entirely to his cause, from the northern counties. On his arrival at York he had been received with every token of respect by the general body of persons of rank and fortune in the neighbourhood; at the assizes, on April the 3rd, he was presented with a loyal address from the gentry, clergy, and freeholders, in which, however, sorrow for the prevailing distractions was strongly expressed, and he was entreated to propound some expedients which might take away all misunderstandings between himself and his great council. But neither these appearances, nor even the arrival of many members of both houses who had resolved to act no more with the parliament, was any effective counterbalance to the great defeat which he soon after sustained in a struggle respecting the command of the fleet.

We have seen orders addressed by parliament to lord-admiral the earl of Northumberland, for the immediate arming of the ships-of-war, which was accompanied by an invitation to the commanders of merchantmen to follow the example; but the lord-admiral, one of those noblemen of whom there were many, who sought as long as possible to avoid declaring themselves on either side, declined to act,

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[a] *Life of Lord Clarendon*, part ii. p. 29.

on the plea of indisposition. The parliament entertained the design of procuring the appointment of the earl of Warwick as his substitute; but whilst the affair was in agitation, the king nominated sir John Pennington. The two houses, by a message, immediately requested that Warwick might be preferred; but the king persisted in his choice. On this, the parliament made application to the lord-admiral to vest his authority in the earl of Warwick notwithstanding, and were by him obeyed. Warwick repaired instantly to his post, and by his activity and popular qualities, exerted in a cause which seems to have been already their favorite, so wrought upon the seamen, that the whole fleet, without a single exception, was permanently secured on the side of the parliament. Warwick, it may be noted, was the brother of the earl of Holland, and suspected by the king of being influenced by him in taking this decided part.

Charles on his arrival at York had notified his intention of raising troops to go in person to the relief of Ireland, and arming them out of the magazines at Hull: the parliament on the other hand, distrustful of this pretext, had sent vessels to bring away the stores for the purpose of strengthening the Tower of London; a step which led to that memorable enterprise on the part of the king which may be regarded as the immediate precursor, or rather the commencement, of civil war. Sir John Hotham, to whom it has been already mentioned that the government of the important port of Hull

had been committed by the parliament, had previously borne the like charge as one of the deputy-lieutenants of Yorkshire under lord Strafford; but notwithstanding the earnest and reiterated intercessions of this minister, who said that he would answer for his fidelity with his life, he had been superseded by Captain Legg, a person of very inferior rank and pretensions, but a favorite at court, as afterwards appeared by his being intrusted with a confidential part in the army-plot. By this slight the temper of Hotham, described by Strafford as captious, had no doubt been highly inflamed, and his after-conduct seems to warrant us in ascribing to this private pique, more than to public principle, the part which he sustained on this memorable occasion.

By way of preparative for his enterprise, the king, on the night of April the 22nd, sent the young duke of York with his nephew the prince Palatine and other persons of rank into Hull, where Hotham received them courteously. Early the next morning, he himself proceeded from York on horseback, attended by two or three hundred of his servants, Legg being of the number, and the gentlemen of the county; and when arrived within a mile of Hull, sent a messenger to the governor to acquaint him that he would dine with him that day. Confused by the unexpected notice, Hotham called to council some of the magistrates and officers of the town, whose political feelings induced them to persuade or encourage him to deny the king entrance. In

consequence he dispatched an express with a request to his majesty to decline the purposed visit, since he could not, without betraying the trust committed to him, open the gates to so great a train as that by which the king was attended. Charles continued nevertheless to advance; on learning which, Hotham ordered the gates to be shut, the bridges to be drawn up, the inhabitants to confine themselves within their houses, and the soldiers to stand to their arms round the walls. When the king, on arriving at the Beverley gate, found all things thus prepared for a hostile reception, he called for the governor, and commanded him on his allegiance to open the gate and admit his sovereign. Hotham in return tendered many expressions of duty and loyalty, but persisted in his refusal, although the king would have consented to enter with only twenty of his attendants, leaving the rest on the outside. Charles then invited him to come and hold a conference without the gates, pledging his royal word for his personal security and liberty of return; but from this also he excused himself; on which the king, highly indignant, told him, that as his action was unparalleled, some extraordinary result must be expected from it: that it was impossible for him to sit down with such an insult, and that he should immediately proclaim him a traitor and treat him as such. After some further parleying, in which Hotham defended his conduct on the ground of the trust reposed in him by the parliament, at the same time upon his knees

imprecating a curse on himself and his family if he were not a loyal and faithful subject to his majesty, he still firmly adhered to his first resolution. The king, retiring from the gate, gave him an hour more to deliberate; but finding him on his return unaltered in his purpose, he caused two heralds to proclaim the governor of Hull a traitor, and all who obeyed him guilty of high-treason. The duke of York and prince Palatine then leaving the town joined the king, who withdrew for the night to Beverley. On the following morning he sent a herald to Hotham again summoning him to open his gates, with a promise of pardon on his compliance. This application proving ineffectual, he returned, much disconcerted, to York.

For the purpose of bringing matters to a further issue, Charles now dispatched an express to both houses, acquainting them with what had passed at Hull, and demanding justice against the governor, who had pretended to act in consequence of their orders. This message was soon followed by another, in which he expressed impatience for an answer, and required them to take some speedy course for the delivery of the town and magazine into his hands, and the punishment of those persons who had offered him so insupportable an affront. If, he said, he was to be brought into a condition so much worse than that of any of his subjects as to be robbed of his privileges and spoiled of his goods without redress, it was time to examine how he had lost those privileges, and to try all possible ways to re-

cover them. The parliament, abstaining from all direct reply to these communications, passed a resolution; "That sir John Hotham had done nothing but in obedience to the command of both houses of parliament; and that the declaring of him a traitor, being a member of the house of commons, was a high breach of the privilege of parliament, and being without due process of law, was against the liberty of the subject, and against the law of the land." Information being received, that a letter sent to the parliament from Hull the night after the king's visit, had been intercepted by some of his servants, they further declared, that all such intercepting of letters sent to them was a high breach of privilege, for which they were bound to bring the perpetrators to condign punishment. They also made an order, that the sheriffs, justices, and all other officers of the counties of York and Lincoln, should suppress all forces gathered together either to force the town of Hull, or to stop the passages to and from it, or in any other way to disturb the peace of the kingdom.

On May the 5th the parliament issued a declaration, in which after mentioning the king's refusal to give his assent to an amended bill for settling the militia, they stated their resolution to carry into present execution their own ordinance formerly passed for putting the people into a posture of defence; and in consequence their warrants and directions for exercising the militia were sent out into all parts.

The king in an elaborate reply strictly forbade his

subjects to muster or array under color of the parliament's "pretended ordinance," and he summoned a county meeting at York for the purpose of promoting the levy of a guard for his own person. The success of this step, however, was very equivocal. The freeholders, whom it had been judged prudent to exclude from the assembly, met on Heyworth moor many thousands strong and drew up a warm remonstrance and petition, asserting their right to be present, and desiring that the king would agree with his parliament. This petition was laid on the pommel of the king's saddle by sir Thomas Fairfax. Even the leading men of the county were much divided; one troop of horse, however, was formed of the gentry who were pleased to enlist under the nominal command of the little prince of Wales, and a foot regiment of six hundred was formed out of the trained bands, whose affections to the cause were at best doubtful.

On intelligence of these royal levies, the parliament passed three votes, which they dispersed throughout the kingdom, representing that the king, seduced by wicked counsel, intended to make war against the parliament;—that such war would be a breach of trust on his part, contrary to his oath, and tending to a dissolution of the government;—and that whoever should serve him in it would be traitors and deserving of death. Meantime they were not negligent in executing their own ordinance; and on May the 10th a general muster was made of the London trained bands. Major-gene-

ral Skippon appeared in Finsbury fields at the head of about eight thousand men, distributed in six regiments, all under commanders who could be confided in by the parliament. The members of both houses were present in tents prepared for them, and a grand entertainment was given to the company at the expense of the city.

On June the 1st the king published his commission of array for Yorkshire; and on the following day his spirits were cheered by news of the arrival of a small vessel dispatched by the queen from Holland with arms and ammunition, which, baffling the pursuit of some of the earl of Warwick's cruisers, had run up a creek of the Humber, and deposited her cargo in a place whence it was some time afterwards safely conveyed to York by the trained bands drawn together under his majesty's orders. The supply was in itself insignificant; of money, which the king expected, there was none; but the fame of the arrival, and the expectation of more, gave it importance.

In the mean time intrigue and faction were busy in the court of York; and to the opposite views and alternate prevalence of two parties, which may be contradistinguished as the constitutional friends of monarchy, and the *ultra* faction of the queen, to which the king also was greatly inclined, some of the most remarkable vacillations in the royal counsels are seemingly to be imputed. The bold and restless spirit of lord Digby, the leader of the queen's party, was soon weary of the monotony of exile;

and no sooner had he learned the king's arrival at York, than he secretly quitted Holland and joined him under the character of a Frenchman, in so perfect a disguise that he was not recognised even by his father. In this state he had several audiences of the king, who received him with favor; but his own indiscretion having discovered him to the whole city, not only those opposed to him, but even his best friends and Charles himself began to wish him away, on account of the additional impediment which his presence would oppose to an accommodation with the parliament. Accordingly sir John Colepepper, on pretence of the necessity of his exertions to expedite the preparations of the queen, prevailed upon him to set out on his return to Holland; and Digby engaged several of his fellow-actors in the army-plot, declared traitors by the parliament, who like himself had repaired to York, to accompany him in his banishment, in order "to fetch some fire from the queen to warm the king's affections towards them." Off the Humber, their bark was captured by the same cruisers from which the queen's ammunition ship was then making its escape; and Digby himself and Ashburnham were taken and carried before the governor of Hull. The disguise and the extraordinary presence of mind and address of Digby, had preserved his person from detection, but he voluntarily discovered himself to sir John Hotham for the purpose of tampering with him to betray his garrison to the king. To this Hotham agreed; and Digby, whom he contrived

to liberate, carried to York a secret message importing his willingness to deliver up Hull to any force sufficient for a pretext which his majesty should bring to take possession of it[a].

But the sinews of war were still wanting on the royal side. Clarendon asserts, but certainly not with perfect correctness, that "the king had not at that time one barrel of powder, nor one musket, nor any other provision necessary for an army; and, which was worse, was not sure of any port to which they might be securely assigned; nor had he money for the support of his own table for one month. He expected with impatience the arrival of all those by the care and activity of the queen." Moreover, although a great proportion of the peers, and no small one of the members of the house of commons, had now joined him at York, he was not certain of the support of any considerable body of his subjects in the event of his pushing matters to the extremity of a civil war, which many of his soundest counsellors believed it might still be in his power to avert.

For the present therefore it was his policy to put forth declarations of his own moderate and constitutional views, and to appear solely intent on self-defence; and we find him requiring the attestation of his council and chief adherents to a very extraordinary denial on the subject of his warlike designs and preparations. It was couched in the following terms, and signed on June the 15th.

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[a] *Hist. Rebellion*, vol. iii. Append. C.

"We whose names are underwritten, in obedience to his majesty's desire, and out of the duty which we owe to his majesty's honor, and to truth, being here upon the place, and witnesses of his majesty's frequent and earnest declarations and professions of his abhorring all designs of making war upon his parliament; and not seeing any color of preparations or counsels that might reasonably beget the belief of any such designs, do profess before God, and testify to all the world, that we are fully persuaded that his majesty hath no such intention: but that all his endeavours tend to the firm and constant settlement of the true protestant religion; the just privileges of parliament; the liberty of the subject; the law, peace, and prosperity of this kingdom."

And to this false declaration forty peers or great officers of state, in which number it is mortifying to find lord Falkland included, were induced to set their hands!

It should be noted, that Charles had already named the earl of Lindsey, lord-chamberlain, his general of the army, and declared sir Jacob Ashley major-general of the foot, reserving the command of the horse for prince Rupert, his nephew, who was daily expected from Holland. He had also caused the commission of array to be published in Leicestershire for four days before the date of this declaration.

The parliament were not betrayed into any relaxation of their activity, by words which the evi-

dence of facts so strongly contradicted. Already, on June 10th, after a liberal subscription from their own members, they had issued proposals for the bringing in of money and plate in order to maintain troops for the preservation of the public peace; —the style they thought proper to employ, although the reason alleged for such levies was the king's intention of making war upon his parliament. In consequence of this call upon the public, such quantities of plate were brought in to the appointed treasurers in London, that hands were scarcely found sufficient to receive it, or space in which to deposit it. Such was the zeal of the female sex, in particular, that many of the lower class offered even their bodkins and their wedding rings, whence the parliament's army were jeeringly called by their antagonists "the thimble and bodkin troops." Loans of money on the public faith were likewise brought in to a great amount by the exertions of the zealous ministers and others.

The king was supplied with money, but probably to a smaller amount, by contributions from the nobility and gentry of his party, and some time after, by a loan from the university of Oxford.

Charles having frequently called upon the parliament for specific propositions as the basis of an agreement, they, on June 17th, presented to him in the form of a petition their final terms under nineteen heads, a summary of which may here find a place, as the most correct exposition of the views and objects of the party with which they originated.

—That the privy councillors and all the great officers of state, excepting such as should be approved by parliament, shall be removed, and that those who are to take their places shall have the approbation of parliament, and take an oath agreed upon by both houses: That all the great affairs of the kingdom shall be debated and transacted in parliament, and nowhere else, nor by unofficial advisers: That the principal officers of state (enumerated) shall always be chosen with the approbation of parliament, and in its intervals by the major part of the council: That the persons to whom the education of the king's children shall be committed shall be approved by parliament, and that no marriages between them and any foreign princes or other persons shall be concluded without its consent: That the laws against jesuits, priests, and popish recusants shall be strictly put in execution without toleration or dispensation: That the votes of popish peers shall be taken away, and the royal assent be given to a bill for educating the children of papists in the protestant religion: That such a reformation be made in the church government and liturgy as parliament shall advise: That his majesty shall agree to the plan for ordering the militia appointed by parliament, till the same be further settled, by a bill: That such members of either house as had been put out of place or office during the present parliament shall be restored or duly satisfied: That all privy councillors and judges may take an oath for maintaining the petition of right, and certain

statutes passed in this parliament, and that an inquiry into all breaches of those laws may be given in charge by justices and judges at assizes and sessions, to be presented and punished according to law: That judges and other officers approved by parliament may hold their places during good behaviour: That the justice of parliament be done upon all delinquents, and that all persons cited by either house appear and abide their censure: That the general pardon offered by the king be granted, with such exceptions as shall be advised by parliament: That all forts and castles be put under the command of persons appointed by the king with the approbation of parliament: That the extraordinary guards and forces now attending the king be discharged, and no others levied but in cases of actual invasion or insurrection: That his majesty enter into a more strict alliance with the United Provinces and other protestant states and princes: That lord Kimbolton and the five members of the house of commons be cleared by act of parliament in such manner as that future parliaments may be secured from the consequences of that precedent: That a bill be passed restraining peers hereafter from sitting and voting unless admitted by consent of both houses of parliament.

Whether or not the parliament had in these articles demanded more than was necessary to secure themselves and the nation from the future enterprises of a king on whose adherence to his previous concessions they believed that no reliance could be

placed, it is evident that they were such as he could not be expected to submit to, except as the consequences of a total defeat; and they were rejected by Charles in an answer expressive of high disdain.

He protested that if he were both vanquished and a prisoner, in worse condition than any the most unfortunate of his predecessors had ever been reduced to, he would never stoop so low as to grant those demands, and "to make himself, of a king of England, a duke of Venice."

The interchange of papers was not terminated even by this declaration; but the warlike preparatives of both parties were carried on without relaxation, and by such equal steps, that neither could justly throw upon the other the odium of being the first to violate the public peace. The king dispatched several of the nobility and gentry attending him into their respective counties, in order to execute his commission of array when and where they should find it expedient, and he constituted the earl, now made marquis of Hertford, his lieutenant-general in all the Western counties. The parliament, having named a committee of safety consisting of five lords and ten commoners, voted on July the 14th that an army should be raised, that the earl of Essex should be their general, and that they would live and die with him. They nominated the earl of Bedford their general of the horse, and regiments, in several instances raised by themselves, were placed under the command of the most eminent parliamentary leaders, amongst whom were lords

Kimbolton and Brook, Hampden, Hollis, and Cromwell.

The personal activity of Charles was at all times considerable, and never more conspicuous than at this crisis, when he also displayed a good deal of the arts of conciliation. Thinking the time nearly arrived for putting to the proof the engagements of Hotham for the delivery of Hull, he caused lord Lindsay to take post at Beverley with a body of three thousand foot and one thousand horse, intended to form the siege; but in the mean time turning his own attention to other points, within the course of three weeks, according to the statement of a parliamentarian writer, he "both in his own person and by his messengers, with speeches, proclamations and declarations, advanced his business in a wonderful manner. At Newark he made a speech to the gentlemen of Nottinghamshire in a loving and winning way, commending their affections towards him; which was a great part of the persuasion for the future, coming from a king himself. Another speech he made at Lincoln, to the gentry of that county, full of protestations concerning his good intentions, not only to them, but to the whole kingdom, the laws and liberties of it[a]." According to Clarendon however, his success on this canvass, as it might be called, was by no means unmingled. From Nottingham, he says that the king proceeded to Leicester, "where he heard the

[a] May's *History of the Long Parliament*, p. 133.

earl of Stamford and some other parliament men were executing the ordinance of the militia: but before his majesty came thither, they removed themselves to Northampton, a town so true to them as, if they had been pursued, would have shut their gates against the king himself, as Hull had done." At Leicester, it is stated that the king was received with great expressions of duty and loyalty, but yet that two incidents occurred, which made it manifest that if he were loved as he ought, the parliament was more feared than he. One was, the difficulty which he found to procure the removal of a magazine of arms and ammunition brought into the town by lord Stamford and his assistants for the training of their levies, and left there under the custody of twenty-five men, whom his majesty had no force to oppose; but which, after he had applied in vain on the subject to the judge on circuit and the sheriff, the gentlemen of the county, who had not yet declared themselves except by waiting on his majesty, caused at length to be withdrawn. The other respected the noted Dr. Bastwick, who, having quitted the town with lord Stamford, under whom he had taken a commission and engaged in making levies, was overtaken and seized by some of his majesty's servants, and committed by the sheriff as a traitor. Charles, desirous of making him an example, would have had him indicted of high-treason under the statute of Edward III. at the assizes then going on; but the judge besought his majesty not to put a matter of so great moment, upon which

the power of the two houses of parliament, and a parliament sitting, must be determined, upon one single judge;" but to cause the law in that case, which he took to be treasonable, to be declared by all the twelve, which might do good; "whereas the publishing of his particular opinion could only destroy himself, and nothing advance his majesty's service." He likewise intimated his doubts whether a jury then suddenly summoned would have courage to find the bill; and on the last suggestion the king gave up this idea. But when the judge and the gentlemen of the county, including those who were most loyal, waited upon him, on the night before his return northwards, with a request that he would liberate his prisoner, or suffer the judge to do so upon his *habeas corpus*, Charles told them "he would think of it till the next morning;" and in the mean time "directed a messenger of the chamber very early, with such assistance as the sheriff should give him, to carry him away to Nottingham; and by the help of that sheriff to the gaol at York: which was executed accordingly with expedition and secrecy," for fear of a rescue[a].

On his return to Beverley, Charles found a letter from lord Digby, who had returned in disguise to Hull, announcing his disappointment in finding Hotham much shaken in his resolution by unexpected difficulties: He had sounded his officers, but they were "of a temper not to be relied upon;" his

[a] *Hist. Rebellion*, iii. 145 et seq.

son, with whom he was at variance, had grown jealous of some design and was counterworking it; and new officers and fresh supplies of men in whose principles they could confide, had been sent by parliament to aid in the defence. Under these circumstances, Digby justly doubted whether he should be able to reengage the governor in the enterprise; and in fact the king, after blood had been drawn in a sally from the town headed by sir John Meldrum and his fresh troops, was compelled to give over the design; "all hope from the governor growing desperate." Hotham, however, in proof of his loyalty, dismissed in safety both Digby and Ashburnham; an act which increased the parliament's suspicions of his fidelity and was afterwards very fatal to him.

The king now "dismissed the trained bands, and returned with his court to York, in so much less credit than when he came from thence, as the entering upon a war without power or preparation to prosecute it was like to produce[a]." Almost immediately after, however, his own spirits and those of his party were raised again by the news that Goring had betrayed the trust unwisely reposed in him by the parliament as governor of Portsmouth, and after strengthening that important place with fresh troops and fortifications, had declared for the king. This event had long been secretly expected and waited for by Charles, and he immediately sent off the

[a] *Hist. Rebellion*, iii. 171.

marquis of Hertford at the head of several gentlemen of quality and influence in the West, to raise troops there for the relief of Goring. He next issued a proclamation declaring the earl of Essex and all who should adhere to him or the parliament traitors and rebels, and a few days after another requiring all men who could bear arms to repair to him at Nottingham, where it was his intention on August the 23rd to erect his royal standard. Between these two proclamations, there was another, says Clarendon, "of seeming contrary tendency[a]," forbidding all popish recusants, or others who had not taken the oaths of allegiance and supremacy, to resort to the royal army, and disclaiming the service of any such: A piece of very ill-advised hypocrisy, since it could not but give some disgust to the catholics, who were all on the king's side, whilst it was likely to irritate rather than appease the jealousies of his own protestant adherents, when they perceived, as they speedily did, that in no instance were the services of catholics declined who came as volunteers, and that even commissions in the army were freely granted them.

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[a] *Hist. Rebellion*, iii. Append. p. 610.

CHAPTER XXIV.

1642.

State of commotion throughout the country.—Uncertain prospects of the two parties.—Nottinghamshire for the king,—its principal leaders.—Recruits come in slowly to the king.—The Fairfaxes and the king.—Coventry shuts its gates against him.—Erection of the royal standard.—The king compelled to send proposals for peace, which end in nothing.—Account of prince Rupert.—Formation of the royal army.—Essex assembles his army at Northampton.—Origin of the names of Cavalier and Roundhead.—The king marches for Shrewsbury,—his rendezvous at Wellington, and address to his army.—Enlistment of catholics.—Letter of lord Spencer.—First success of Rupert.—Improvement of the king's affairs.—He sets up a mint.—Equipment of his troops.—Their regiments and commanders.—He marches into Warwickshire.—Essex advances to meet the king.—Alarm of the parliament.—London fortified.—Battle of Edgehill.—Death and character of the earl of Lindsey.—Anecdote of sir Edmund Verney.—Hostility of the peasantry to the king's troops.—Essex marches to Warwick.—Advance of the king.—Banbury castle surrendered to him.—He reaches Oxford.—Proceeds to Reading.—Plundering expeditions of Rupert.—Defensive measures of parliament.—They make overtures for a treaty.—Deceitful conduct of the king.—Fight of Brentford.—The parliament's army drawn up on Turnham Green.—The king retreats to Reading, thence to Oxford for the winter.—Consequences of the affair of Brentford.—The king causes his prisoners to be tried.—Reprisals threatened.

THE whole kingdom was now a scene of bustle, tumult and commotion. The crisis was come; the

king was arrayed on one side, the parliament on the other; the nation was divided against itself; and the fratricidal war was not only declared but begun. Long as this extremity had been preparing, it seemed at last to come upon all men with a kind of surprise; from words to deeds is in such a case a great and astounding transition. "It is strange to note," said Whitelock in a parliamentary debate respecting the levy of troops, "how we have insensibly slid into this beginning of a civil war by one unexpected accident after another, as waves of the sea, which have brought us thus far: And we scarce know how; but from paper combats, by declarations, remonstrances, protestations, votes, messages, answers and replies; we are now come to the question of raising forces, and naming a general and officers of an army[a]."

Good and moderate men still clung, as a last hope, to the notion that a show alone of arms would suffice to bring to terms the high contending parties; but that fatal opinion of the utter insincerity of the king in all his concessions with which the parliamentary leaders were indelibly impressed,—by impelling them to demand, for the safety of the nation and their own, terms which would have left him little more than a pageant in the state,—not only rendered all present agreement impracticable; but made it too evident to men of sagacity, that a severe humiliation of one or the other party must

[a] Whitelock's *Memorials*, p. 60.

precede all stable reconcilement. For which of the two this humiliation was in store, there were in the beginning no means of forming any solid judgement. One town or county afforded no rule for another. "Before the flame of the war broke out in the top of the chimnies," says Mrs. Hutchinson, "the smoke ascended in every county; the king had sent forth commissions of array, and the parliament had given out commissions for their militia, and sent off their members into all counties to put them in execution. Between these in many places there were fierce contests and disputes, almost to blood, even at the first; for in the progress every county had the civil war, more or less, within itself. Some counties were in the beginning so wholly for the parliament, that the king's interest appeared not in them; some so wholly for the king, that the godly, for those generally were the parliament's friends, were forced to forsake their habitations, and seek other shelters." Of the last sort, was Nottinghamshire. "All the nobility and gentry and their dependents were generally for the king[a]." At the head of the county was the courtly yet popular earl of Newcastle, who had before this time secured for the king the important port of Newcastle, and was further exerting himself in the North; and the earls of Kingston and Chesterfield: lord Chaworth, sir John afterwards lord Byron with his martial brothers, and many more, embraced the same side.

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[a] *Memoirs of Colonel Hutchinson*, p. 174.

Notwithstanding this advantage, the king found recruits to his army come in much more tardily and scantily than he had hoped, and some of his party were of opinion that it would have been more advisable for him to have raised his standard at York, and deferred his march southwards till he should have found himself at the head of a more formidable force. But this alternative was in fact denied him, through the repugnance of the Yorkshire gentry to see their county made the seat of war, and the eagerness with which they therefore urged his departure. At this time Ferdinando lord Fairfax and sir Thomas Fairfax his son had already shown their attachment to the parliamentarian side, on which they afterwards became so highly distinguished; and Charles was resolved at his departure from York to have seized them and a few other gentlemen of like principles, in their own houses, and have brought them away prisoners; but the remonstrances of the gentry of the county, then assembled to consult for their own safety, obliged him to forgo this design with respect to the Fairfaxes; and some movers of sedition in a lower class whom he had actually carried off, he found it expedient, from the scruples of his own adherents, speedily to liberate[a].

Finding himself at Nottingham before the appointed day of raising his standard, and learning that some foot regiments of which Hampden's was

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[a] *Hist. Rebellion*, iii. 186.

one, were marching by order of the earl of Essex to garrison Coventry, the king promptly directed his course thither at the head of his cavalry, amounting to seven or eight hundred men, making no doubt of securing the town provided only he should arrive first. But this expectation failed him; Coventry like other manufacturing places was a strong-hold of the puritans; and not only were the gates closed on his approach, and entrance denied him by the magistrates, but shots were fired from the walls by which some of his attendants were wounded. Unable to revenge the affront, the king retired for the night to Stoneleigh, the seat of sir Thomas Leigh; and in the morning he had the mortification of seeing his horse under Wilmot, on an open plain, retreat some miles before the parliament's foot without making even a single charge. Under the weight of this double disappointment the king returned to Nottingham in gloomy mood and ill-prepared for the awful ceremony of the ensuing day, which the pen of Clarendon has thus pourtrayed.

"On August 29th the standard was erected about six o'clock of the evening of a very stormy and tempestuous day. The king himself, with a small train, rode to the top of the castle-hill. Verney the knight-marshal, who was standard-bearer, carrying the standard, which was then erected in that place, with little other ceremony than the sound of drums and trumpets: melancholy men observed many ill presages about that time. There was not one regiment of foot yet levied and brought thi-

ther; so that the trained-bands, which the sheriff had drawn together, was all the strength the king had for his person, and the guard of his standard. There appeared no conflux of men in obedience to the proclamation; the arms and ammunition were not yet come from York, and a general sadness covered the whole town. And the king himself appeared more melancholic than he used to be. The standard itself was blown down, the same night it had been set up, by a very strong and unruly wind, and could not be fixed again in a day or two, till the tempest was allayed[a]."

In the Collections of Rushworth this event is recorded with further and somewhat differing circumstances. On the top of the standard, it is said, hung a flag having the king's arms quartered, with a hand pointing to the crown which stood above, and the motto, "Give Cæsar his due." The standard is likewise said to have been conducted to the field in great state, and with a numerous military attendance, on *August* 22*nd*, and that a proclamation was read by the herald-at-arms, declaring that his majesty's purpose in setting it up was to suppress the rebellion of the earl of Essex, for which he required the aid of all his loving subjects; at the conclusion of which reading, the whole multitude threw up their hats, and cried, "God save the king!" It is further asserted, that the standard was taken down on that night, and carried again

[a] *Hist. Rebellion*, iii. 191.

into the castle, whence it was brought to the ground on the following day, and set up with the same ceremonies, the king being present; and that the same thing was repeated on the next day.

Under these circumstances of discouragement, some about the king actually proposed his return to York, not conceiving even his person secure at Nottingham, from the enterprises of the parliamentary troops, then at Northampton; and those of his council who opposed this step as too open a confession of weakness, urged upon him, however, the expediency of making overtures for an accommodation; "which proposition," says Clarendon, "was no sooner made, but most concurred in it, and no one had the confidence to oppose it. The king himself was so offended at it, that he declared he would never yield to it; and broke up the council that it might be no longer urged." The next day, however, it was repeated with greater earnestness; and the earl of Southampton in particular, "a person of great prudence, and of reputation at least equal to any man's, pressed it as a thing that might do good and could do no harm; and his majesty's reasons, with reference to the insolence it would raise in *the rebels*, and the dishonor that would thereby reflect upon himself, were answered by saying, their insolence would be for the king's advantage," for that by refusing, as it was thought they would, the offer of peace, they would make themselves odious to the people, and thus incline them to serve the king. On this plea, with the reluctant consent of Charles,

who still urged that having little left him but his honor, it became him to be doubly careful of that, proposals for a treaty were at length drawn up, with which the earls of Southampton and Dorset and sir J. Colepepper set out for London on the third day only after the erection of the king's standard. These messengers were received by the parliament with a marked distrust, which rendered it dangerous for any whose affections were secretly on the royal side to approach them. From the parliamentary leaders, with some of the chief of whom they had private conferences, they received, according to Clarendon, "no other advice but that if the king had any care of himself or his posterity, he should immediately come to London, throw himself into the arms of his parliament, and comply with whatsoever they proposed." The reply of the parliament to the king's proposal of appointing commissioners to treat of a peace, expressed, that until he should have taken down his standard, and recalled the proclamations by which he had put the two houses of parliament out of his protection, and declared the earl of Essex and his adherents traitors, it could answer no purpose to enter upon negotiations. A second message from the king, of which lord Falkland was the bearer, proved equally inefficacious, because the insincerity and artifice which inspired it were manifest; the friends of peace in his council found themselves reduced to silence, and military preparations proceeded with fresh vigor.

It was now near the middle of September, and the king's affairs began to wear a better face. His party were everywhere exerting themselves, and the fiery Rupert, who had assumed the command of the horse posted at Leicester, indulged, and excited in his principal officers, such indignation at the thought of the late pacific overture, that they "were not without some thoughts, at least discourses of offering violence to the principal advisers of it[a]." This characteristic trait may serve to introduce some account of one of the remarkable personages enlisted in the royal cause.

Rupert, third son of the ill-fated queen of Bohemia, was born at Prague in 1619. A soldier from childhood, he had in his thirteenth year accompanied the prince of Orange to the siege of Rhinberg, and in consequence of the courage and capacity he had displayed, he was appointed, at the age of eighteen, to the command of a regiment of cavalry. The following year he was made prisoner by the imperialists, and endured at Vienna a severe captivity of more than two years, from which he was liberated only on condition of never more bearing arms against the Emperor. He had paid one former visit to England, and the king was endeavouring, but ineffectually as it proved, to advance his fortunes by a marriage with a princess of Rohan. It had also been proposed on behalf of the portionless

[a] *Hist. Rebellion*, iii. 217.

sons of the Palatine family, that Charles Louis, the eldest then surviving, should be established in the island of Madagascar, and that Rupert should found a colony in the West Indies; but these wild projects were disconcerted by the interference of their mother. On the first news of an approaching war, Rupert and his younger brother Maurice hastened to the aid of their royal uncle, who gave a commission to the latter, and as we have seen, nominated the former his general of horse.

The genius of Rupert was not merely military; his active spirit exercised itself in the fields of science and art; he was a successful student in chemistry and mathematics, and is accounted the inventor of mezzotinto. His character and aspect are sketched by Grammont with the following traits. "His temper had a violence which he scorned to control; his person was large, his carriage awkward, his manners sometimes polite to excess, sometimes brutal; his countenance was dry and harsh, even when he wished to soften it, but in his fits of ill-humour its expression was truly infernal." His principles and practices were those of a soldier of fortune formed where war was most a trade, and where subjects were the absolute property of their princes. No English commander on either side allowed such license of plunder and outrage to his troops, or manifested such a savage indifference to the miseries of the people: he was also rash in action; and in spite of his brilliant valor in

the field, and his activity and resource as a partizan, it may well be doubted how far the king was on the whole a gainer by his employment.

For the present, however, the arrival of such a champion served more than anything to inspire the king's friends with that martial ardor in which they were deficient. Rupert exerted himself in procuring levies in the midland counties, and now also recruits of infantry began to come in from Yorkshire, Lincolnshire and Staffordshire; and cannon and ammunition arriving from Yorkshire, there appeared around the king an assemblage which bore some semblance of an army.

In the mean time, the interval of preparation was diligently improved by the parliament. On September the 9th, the earl of Essex, accompanied by many members of both houses, left London in state, and proceeded to the head-quarters of his army at St. Albans. He thence advanced to Northampton, where he was joined by the remainder of his troops, amounting in the whole to above fifteen thousand men. Their general was furnished by the parliament with a petition to deliver to the king, and these amongst other directions were given him: "To march and fight the king's army, and by battle or otherwise to rescue his person, and the prince and duke of York, from those about him: To present the petition to his majesty, and if he shall please to withdraw himself from his army, and resort to his parliament, then to cause those forces to disband and to guard the king in his return."

The army of the parliament was distinguished by the colors of its leader, deep yellow, or orange; and the names of Roundheads and Cavaliers had already been adopted as distinctive of the opposite parties. These appellations seem to have originated in the street-fights between Lunsford's band and the London mob previously to the king's removal from Whitehall, and were perhaps at first nearly synonymous with gentleman, or courtier, and citizen; cropped hair being probably the commodious wear of the apprentices and mechanics, whilst curled and flowing locks were the adornment of the higher classes. It appears, however, that the roundhead fashion was also a badge affected by the religious zealots of the day; though held in merited disdain by men of sense and honesty who adhered to the parliament. "When puritanism," says the admirable Mrs. Hutchinson, "grew into a faction, the zealots distinguished themselves, both men and women, by several affectations of habit, looks, and words, which, had it been a real declension of vanity, and embracing of sobriety in all those things, had been most commendable in them; but their quick forsaking of those things when they were where they would be, shewed that they either never took them up for conscience, or were corrupted by their prosperity to take up those vain things they durst not practise under persecution. Among other affected habits, few of the puritans, what degree soever they were of, wore their hair long enough to cover their ears, and the ministers and many others

cut it close round their heads, with so many little peaks, as was something ridiculous to behold; whereupon Cleaveland in his 'Hue and Cry' after them, begins,

'With hair in characters and lugs in text,' &c.

From this custom of wearing their hairs, that name of Roundhead became the scornful term given to the whole parliament party; whose army indeed marched out so, but as if they had been sent out only till their hair was grown: two or three years after any stranger that had seen them, would have enquired the reason of that name." She adds that her husband, having a fine head of hair, wore it so as to be a great ornament to him, "although the godly of those days, when he embraced their party, would not allow him to be religious because his hair was not in their cut, nor his words in their phrase, nor such little formalities altogether fitted to their humour[a]."

Nottingham being judged no longer a safe position for the king, with the parliament's army lying at Northampton, he about the middle of September marched thence to Derby; resolved to bend his course towards the borders of Wales, where several regiments were raising for his service; but he was undetermined whether to give the preference to Chester or Shrewsbury, till the arrival of letters from his adherents which assured him that the latter town was quite at his devotion. On his march thither, he

[a] *Mem. of Colonel Hutchinson*, vol. i. p. 181.

halted near Wellington in Shropshire for the purpose of drawing his troops to a rendezvous, and having caused his general orders to be read at the head of each regiment, he advanced to the front, and in order, as he said, that his troops might see what use he intended to make of their valor, should God crown it with success, he made a solemn protestation to the following effect: That he would maintain the true reformed protestant religion, established in the church of England, and in it live and die, and that he desired to govern by the known laws of the land: That should he, by means of this army, raised for necessary defence, be preserved from the present rebellion, he would observe inviolably the laws consented to by him in that parliament; in the mean time, any violations of them, he said, which a state of war and the straits of his affairs might produce, would, he hoped, be imputed both by God and men to the authors of the war and not to himself.

The effect of this ceremony in animating the spirits of his soldiers, and removing fears and jealousies from the minds of the people in those parts, is intimated by Clarendon to have been very considerable. Great expressions of love and loyalty attended him on his way, and a cordial reception awaited his arrival at Shrewsbury on September the 20th. Having, as he hoped, lulled by these public declarations the alarms of his protestant followers, he three days after addressed to the earl of Newcastle, to whom

he had given a commission to command in the North, under which he was actively engaged in making levies, the following private instructions.

"Newcastle,

"This is to tell you that this rebellion is grown to that height, that I must not look what opinion men are who at this time are willing and able to serve me. Therefore I do not only permit, but command you, to make use of all my loving subjects' services, without examining their consciences (more than their loyalty to me), as you shall find most to conduce to the upholding of my just regal power. So I rest[a]," &c.

What was the sense entertained at this time of Romish influence in the counsels of the king, and of the general state of his affairs, by men of loyalty and honor in his service, may be learned by the following extract of a deciphered letter from Robert lord Spencer to his lady, the Saccharissa of Waller, dated from Shrewsbury, September the 21st, 1642.

"The king's condition is much improved of late; his force increaseth daily, which increaseth the insolency of the papists. How much I am unsatisfied with the proceedings here, I have at large expressed in several letters. Neither is there wanting daily handsome occasion to retire, were it not for grinning honor. For let occasion be never so handsome, unless a man were resolved to fight on the parliament side, which, for my part, I had rather

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[a] Ellis's *Letters*, iii. 291.

be hanged, it will be said, without doubt, that a man is afraid to fight. If there could be an expedient found to salve the punctilio of honor, I would not continue here an hour. The discontent that I and many other honest men receive daily, is beyond expression. People are much divided; the king is of late very much averse to peace, by the persuasions of 202 and 111. It is likewise conceived that the king has taken a resolution not to do anything in that way till the queen comes; for people advising the king to agree with the parliament, was the occasion of the queen's return. Till that time no advice will be received; nevertheless the honest men will take all occasions to procure an accommodation; which the king, when he sent those messages, did heartily desire, and would still make offers in that way, but for 202 and 111, and the expectation of the queen, and the fear of the papists. ..... What the king's intentions are, to those I converse with, are altogether unknown; some say he will hazard a battle very quickly; others say he thinks of wintering; which as it is suspected, so if it were generally believed 117 [myself] and many others would make no scruple to retire," &c.

In a later letter, he says; "If the king or rather 243 [papists] prevail, we are in sad condition; for they will be insupportable to all, but most to us who have opposed them, so that if the king prevails by force, I must not live at home, which is grievous to me, but more to you; but if....; I apprehend I shall not be suffered to live in England:

And yet I cannot fancy any way to avoid both; for the king is so awed by 243, that he dares not propose peace, or accept I fear, though by his last message he is engaged. But if that be offered by the parliament, I and others will speak their opinion[a]."

Although the statements of Clarendon, who was deeper in secrets of state than this young and gallant nobleman, forbid us to give the king himself the same credit for a sincere desire of peace which he was disposed to do, there can be no doubt, after these remarks, either of the predominance of the Roman catholic advisers about him, or of the mischievous ends to which it was directed.

In the early part of September the earl of Essex, quitting Northampton, put a garrison into Coventry and took possession of Warwick, whence he advanced to Worcester. Before his arrival, however, Rupert had attacked and defeated, in the immediate neighbourhood of that city, a body of parliamentarians under colonel Sandys, who fell in the action, leaving to the prince the trophy of prisoners and colors, by which the spirits of the royalists were much elated, and their opponents inspired with a formidable idea of himself and his troops. It was at Chester that intelligence of this success reached the king; who had gone thither for the double purpose of securing that city and the adjacent parts of North Wales in his favor, and of coun-

[a] *Sidney Papers*, ii. 667.

tenancing the feeble attempts of the earl of Derby to make head against the parliamentarians in Lancashire. On his return to Shrewsbury, he was attended by a number of gentlemen who offered to raise both horse and foot at their own expense. To defray the charges of his increasing host, Charles now established a mint at Shrewsbury, which was supplied with silver to a considerable amount by college-plate sent from Oxford, and the family-plate of noblemen and gentry attached to the royal cause. He was likewise persuaded to ask a loan from the Roman catholics of Shropshire and Staffordshire, which, after some difficulties, was obtained. By all these means he very suddenly grew in strength, "almost beyond what himself could hope, or the parliament suspect[a]."

The greatest difficulty which at present pressed upon the king was to find arms for his soldiers; few had yet arrived from Holland, and the deficiency was to be supplied partly by compulsory loans from the trained bands, partly from the ancient armories of noblemen. Clarendon thus describes the equipment of officers and men.

"The foot, all but three or four hundred who marched without any weapon but a cudgel, were armed with musquets, and bags for their powder, and pikes: but in the whole body there was not a pikeman had a corselet, and very few musquetiers who had swords. Among the horse, the officers

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[a] May's *Hist. of Long Parliament.*

had their full desire if they were able to procure old backs and breasts, with pots, with pistols and carabines for their two or three first ranks, and swords for the rest; themselves, and some soldiers by their examples, having gotten, besides their pistols and swords, a short pole-ax."

The numbers of the royal army at this time are apparently not recorded; but the foot formed three brigades under sir Jacob Astley, a good officer and major-general to the earl of Lindsey, commander-in-chief. There were also two or three regiments of dragoons, besides the cavalry which was under the orders of Rupert, assisted in the command by general Ruthven, afterwards earl of Forth and Brentford, who bore the rank of a field-marshal. The king's troop of guards, commanded by lord Bernard Stewart, was chiefly composed of persons of rank and quality; sir Philip Warwick, who was of the number, informs us that they calculated their united rentals at not less than 100,000*l.* per annum.

It was at the head of this force, and very slightly incumbered with baggage, that the king quitted Shrewsbury, about the middle of October, and directed his march upon London, by Bridgenorth, Wolverhampton and Birmingham, to Kenelworth, then a royal castle. The earl of Essex, who had been lying for some time with his army at Worcester, in a state of inactivity, put himself in motion on the news of the king's advance, and set forth to meet him in Warwickshire, leaving his artillery to follow. The approach of the royal army gave a

severe alarm to the parliament, which immediately dispatched members as deputy lieutenants into several counties to forward all levies to the army, and to make additional ones; preparations were likewise actively made for the defence of the capital itself by calling out the trained bands, erecting fortifications, on which the whole population, men, women, and children, zealously labored; and planting cannon in the city and suburbs;—so completely the aspect of affairs was changed!

On October the 22nd the earl of Essex had reached the village of Kineton in Warwickshire, of which Rupert apprised the king, with the intimation that if his majesty thought proper, he might be brought to action. This suggestion, though of very doubtful expediency, was approved by Charles; and in consequence was fought, on the following day, the battle of Edgehill, so called from the ridge on which the royal army had taken post, and from which it descended to charge the parliamentarians in the plain below. The king proceeded to the field in royal pomp, clad in complete armour, over which he wore a black velvet mantle with the star and George; and advancing to the head of the line, addressed his soldiers in a bold and animating speech, in which, whilst cordially acknowledging their love and zeal, he told them, however, that he trusted less in their numbers or valor than in the justice of his cause, and his rights, derived from God himself, whose substitute he was. A king-at-arms was present in the action with a long train of heralds

and pursuivants; and the royal host was additionally swelled and encumbered with an unarmed train, consisting of the ministers of state, the household officers and their followers, to the number, in all, of more than twelve hundred.

Events were sufficiently balanced in this first day of battle between Charles and his people to enable both parties to lay claim to the victory. The royal troops suffered considerably by the superior artillery of their opponents; on the other hand, Rupert's impetuous charge of cavalry carried all before it; but by pursuing the fugitives too far from the field, and suffering his troopers to busy themselves in the plunder of the enemy's baggage, he gave opportunity to sir William Balfour with his regiment of horse to break in upon the royal infantry, making great slaughter, and nearly to disperse it. On his return to the scene of action, Rupert found the king and his two elder sons with a small retinue only surrounding them, and the field in utter confusion. Each party now occupied itself in collecting its scattered and discomfited troops: neither was disposed to renew the combat; but the parliamentarians occupied the field of battle during the night, whilst Charles retired to his post on the hill.

From the report of burials made to the king by the rector of Kineton, it appears that little more than thirteen hundred men fell on both sides in this action, though the common accounts raise the numbers to five or six thousand. It seems probable that the greater loss in private men was on the par-

liament's side; and Ludlow honestly confesses that theirs were slain flying, the king's as they stood. In persons of note, however, the royal army suffered by far the most. In the charge of Balfour's horse, the earl of Lindsey himself, then marching on foot at the head of his regiment, received a wound in the thigh and was made prisoner; his son lord Willoughby, who fought by his side, being also captured, in an attempt to rescue him. Surgical aid appears not to have been immediately procurable, and Lindsey expired from loss of blood before morning. This earl was of very noble extraction, and inherited a great estate, chiefly in Lincolnshire, of which, according to Clarendon, he had been no good manager. "He was a man," adds this historian, "of great honor, and spent his youth and vigor of his age in military actions and commands abroad; and albeit he indulged to himself great liberties of life, yet he still preserved a very good reputation with all men, and a very great interest in his country, as appeared by the supplies he and his son brought to the king's army." He goes on to mention, that this peer, who was of a very high spirit, and punctual both in performing his engagements and exacting what was his due, had felt with excessive keenness the restriction put upon himself by Rupert's commission, which dispensed him from receiving orders except from the king in person, and by the king's preference of his nephew's opinion in all matters relative to the war. Nor did he conceal his feelings on this subject: the night

before the action he said to Hyde himself and to his friend the earl of Dorset, that he looked upon himself as no longer general, and therefore was resolved, when the day of battle came, to be at the head of his regiment as a private colonel, and there to die:—a determination too faithfully fulfilled[a]!

The young lord Aubigny, brother to the duke of Richmond, also lost his life, and several other persons of rank were either slain or made prisoners. The king's standard-bearer sir Edmund Verney being killed, the royal standard fell into the hands of Balfour's regiment, but was afterwards rescued. Of Verney, Clarendon has preserved a memorable and affecting anecdote. He says that about the time of the erection of the standard at Nottingham, he fell into conversation with this gentleman, who, after congratulating him on the cheerful countenance which he saw him able to maintain in that melancholy crisis, gave utterance at length to the following confession: "My condition is much worse than yours, and different, I believe, from any other man's, and will very well justify the melancholy that I confess to you possesses me. You have satisfaction in your conscience that you are in the right; that the king ought not to grant what is required of him; and so you do your duty and your business together: But for my part I do not like the quarrel, and do heartily wish that the king would yield and consent to what they desire; so that my conscience

[a] *Hist. Rebellion*, iii. 285, et seq.

is only concerned in honor and in gratitude to follow my master. I have eaten his bread and served him near thirty years, and will not do so base a thing as to forsake him; and choose rather to lose my life, which I am sure I shall do, to preserve and defend those things which are against my conscience to preserve and defend: For I will deal freely with you; I have no reverence for the bishops, for whom this quarrel subsists."

In commiserating the case of this unfortunate gentleman, we cannot omit to reflect, that it could have been by no means so singular as he imagined it. In a contest of such a nature, the instances must have been numberless in which public principles and public duty would be found in direct opposition to the dictates of personal attachment, of gratitude, and of worldly honor. To make the true decision in difficulties of this kind, and unswervingly to abide by it, demands a strength and clearness of judgement, a firmness of temper, and a certain magnanimity, of which only a chosen few are capable; and a due allowance for the infirmity of human nature will insure indulgence, though not acquittal, to the memory of those who poured out their blood in the cause which their conscience disapproved.

It is a striking fact, supplied by the royalist historian, that whilst supplies of all kinds were readily furnished by the peasantry to the parliament's camp, they carefully concealed or carried away from the king's troops all provisions for man or horse; and

that "the very smiths hid themselves, that they might not be compelled to shoe horses, of which in those stoney ways there was great need." This proceeded, he affirms, less from any radical dislike to the cause or person of the king, than from an opinion industriously spread among the people, which he treats as a calumny, "that the cavaliers were of a fierce, bloody and licentious disposition, and that they committed all manner of cruelty upon the inhabitants of those places where they came, of which robbery was the least." He states that in consequence of this feeling, on the arrival of the royal army at Edgehill "there were very many companies of common soldiers who had scarcely eaten bread in eight and forty hours before;" and that after the battle many of the men who straggled into the villages for refreshment were knocked on the head by the inhabitants.

Judging from the results, the king would appear to have been the real victor of this field. Essex, whose characteristic however it was to err on the side of caution rather than of enterprise, though reinforced immediately after the combat by Hampden with three fresh regiments, relinquished for the present the important design of placing himself between the royal army and the capital, and turned aside to Warwick. The king, after resting a day and appointing general Ruthven to succeed to the command of the earl of Lindsey, marched on to Aynho to make a survey of the defences of Banbury castle; and such was the terror he inspired, that

this fortress, garrisoned by the parliament with eight hundred foot and a troop of horse, was yielded to him without a blow, and many of the soldiers entered his service.

From Banbury Charles proceeded to his palace of Woodstock, and to Oxford, which city having been left undefended by the parliament, received him gladly, and remained firm to him ever after. The university omitted no testimonies of its loyalty; by pecuniary aid from the different colleges he was enabled to recruit his troops, in which many catholics were enlisted, whilst his sick and wounded were received in comfortable quarters. After a halt of only three days, he marched onwards as far as Reading, which was deserted by its garrison at his approach. Rupert preceding him with his cavalry, entered Henley, Abingdon, and other small defenceless towns in the neighbourhood, committing "strange violences and insolences[a]," and bringing away a great booty.

The parliament, roused by the approaching peril, sent in haste an order to Essex to march up his army for the defence of London: he obeyed, and by the beginning of November cantoned his troops in the west of Middlesex; on the 7th of the month he came himself to Westminster, where he was honorably received by both houses, and presented with a gratuity for his not very eminent services. The London apprentices were enticed to enlist by

[a] Whitelock.

an ordinance proclaiming them free on that condition, and the Scotch were invited to come to the assistance of their English brethren by the assurance of a more speedy and effectual proceeding in the long-promised church-reform, by which the English establishment was to be closely assimilated to that of Scotland.

Having thus provided and exhibited their resources for a renewal of the war, should it prove inevitable, the parliament regarded it as no derogation to dispatch a messenger to the king at Reading desiring a safe-conduct for a committee of two lords and four commoners to attend his majesty with a humble petition from the two houses.

Charles, in answer, intimated that such a committee would be welcome, but annexed the condition that it should comprise none of the persons whom he had declared traitors, and on this ground excepted against sir John Evelyn, proclaimed only the day before. This objection, which the parliament viewed both as an affront, and a proof of the king's insincerity in his professed desire of peace, caused a suspension of the business on their side till the further advance of the king to Colnbrook, when scruples gave way to alarm, and he was met, on November the 11th, by the earls of Northumberland and Pembroke and three commoners, sir J. Evelyn having agreed to absent himself. The prayer of their petition was, that his majesty would appoint some convenient place, within a small distance of Westminster, where he would please to reside until

commissioners from the parliament should wait upon him with propositions for a settlement of all differences. With many professions of his readiness to treat at any place, and his anxious desire, as father of his people, to put an end to their sufferings, Charles accepted the proposal, and named Windsor castle as the residence which he should choose, provided the garrison thrown into it by the parliament were withdrawn.

The next morning, this answer being read to both houses, Essex rose and demanded whether he was now to pursue or to suspend hostilities; he was ordered to suspend them, and sir Peter Killigrew was dispatched to require a like cessation on the king's part, but on reaching Brentford he found the war renewed. Without regard to the pending treaty, the king had continued to advance, and taking advantage of a fog, had fallen by surprise on a part of Hollis's regiment quartered there, thinking to overpower it without difficulty. But the brave resistance of this small body, of which many were slain and many driven into the river and drowned, gave time for the regiments of Hampden and lord Brook to come up, which for several hours supported alone the charge of the royal army.

The startling report of cannon was heard in London, whilst the cause remained unknown. Essex, at the sound, rushed forth from the house of lords, which was sitting, mounted his horse, and hastened with such force as he could collect, to the rescue of his men. The action had ceased on his arrival: after

suffering themselves to be nearly cut in pieces, night coming on, the remains of the regiments had quitted the field, and the king occupied Brentford, which his troops plundered; but he had halted, and showed no disposition to advance.

Lord Clarendon has endeavoured, but without success, to throw on the military impetuosity of Rupert the whole blame of a surprise which was generally stigmatized as treacherous, and which proved unsuccessful. He has himself stated, that the exaggerated accounts of ill-judging partisans in London of dissensions amongst leaders and a general disaffection of the citizens to the cause of the parliament, had inspired Charles and his courtiers with a confident anticipation that on his majesty's approach, between the terror of his adversaries and the exertions of his friends, means would be found to open the gates to him; and it is evident that he advanced on the hope of thus ending the contest at a blow. But the results were such as he had ample cause to deplore. "It was now evident," says his apologist, in a passage which he afterwards suppressed, "that there had been a great oversight in making so great haste; all thoughts of treaty were dashed; they who most desired it did not desire to be in the king's mercy; and they now believed, by his majesty's making so much haste towards them, after their offer of a treaty, that he meant to have surprised and taken vengeance on them without distinction[a]."

[a] *Hist. Rebellion*, iii. 319, Note.

The common danger united all parties in the metropolis. During the whole night the city poured out men towards Brentford: the trained bands were ordered to incorporate with Essex's army; and they marched forth cheerfully under Skippon, their able leader, who encouraged them, not by a formal oration, but with short speeches, now to one company, now to another, as they went along, to this effect: "Come, my boys, my brave boys, let us pray heartily and fight heartily; I will run the same fortunes and hazards with you; remember the cause is for God, and for the defence of yourselves, your wives, and children: Come, my honest brave boys, pray heartily, and fight heartily, and God will bless us[a]."

The whole army, four and twenty thousand strong, was drawn up on Turnham Green about a mile from Brentford. They were arrayed chiefly by the earl of Holland, who appeared to take great pains and to possess great skill in martial affairs. He was accompanied by the earl of Northumberland and most of the lords who remained with the parliament, and by many members of the lower house; and all were armed. "The general Essex likewise took great pains in the field, and accompanied with the lords and commons with him, rode from regiment to regiment encouraging of them; and when he had spoken to them, the soldiers would throw up their caps and shout, crying, Hey for old Robin[b]!" The two armies stood many hours thus facing one another: It was then debated whether the parlia-

[a] Whitelock. [b] *Ibid.*

ment's army, which had greatly the advantage in numbers, should advance to the attack, which was the opinion of most of the members of parliament who were officers; but, in the language of a contemporary historian, "God was not yet appeased toward this nation," so as to permit this sad war to be concluded at a stroke. The soldiers of fortune, who had already, from very equivocal motives, caused a movement to be recalled by which the royal army would have been completely surrounded, opposed this proposition also, as did the earl of Holland, never very hearty in the cause; and before the consultation was ended, the king was observed to begin drawing off his carriages and ordnance: "The city goodwives and others," says Whitelock, "mindful of their husbands and friends, sent many cart-loads of provisions and wines and good things to Turnham Green, with which the soldiers were refreshed and made merry; and the more when they understood that the king and all his army were retreated. Upon this there was another consultation whether we should pursue them, which all advised but the old soldiers of fortune." These held it too hazardous, and Essex was of their opinion and remained quiet; but some of the king's party afterwards confessed, that they had not at this time bullet enough to have held fight for a quarter of an hour; that this was the cause of their retreat, and that if pursued they would have been in all probability entirely broken. So many hazards had the king incurred!

His army retired for the night to Kingston, and he lodged himself at Hampton Court. The next day they retrograded to Reading, in which having placed a garrison his majesty about the end of the month returned to Oxford, "unsatisfied," says Clarendon "with the progress he had made, which had likewise raised much faction and discontent amongst the officers, every man imputing the oversights which had been committed to the rashness and presumption of others; and prince Rupert in the march contracting an irreconcilable prejudice to Wilmot, who was then lieutenant-general of the horse, and was not fast in the king's favor[a]."

From Reading Charles sent a message to both houses, for the purpose of exculpating himself relative to the affair of Brentford and of renewing the expression of his desire for peace. But his professions found little credit on either point; the parliament showed themselves for the present averse to enter upon fresh negotiations, and a welcome petition was presented to them by the London citizens, in which they were entreated to proceed no further in the business of accommodation, because evil counsel was so prevalent with the king that he would but delude them. The subscribers added, that they had heard his forces were but weak, and that if the lord general would follow and fall upon them, making no delays, for fear of foreign forces coming over, the City, as heretofore, would with all

[a] *Hist. Rebellion.*

willingness spend their lives and fortunes to assist the parliament[a].

Owing to various impediments, this concluding request was not complied with, and Essex remained in his quarters till spring.

Two attempts of the king to avail himself of the assistance of the legal profession against his enemies deserve to be here mentioned: One was, a proclamation for the adjournment of the ensuing law term to Oxford; which was defeated however by a counter-resolution of the parliament: The other was, his causing four captains his prisoners, of whom John Lilburn was one, to be sentenced for rebellion and high-treason by judge Heath;—an ill-calculated display of authority, since the two houses immediately declared the sentence illegal and unjust, and, as might have been anticipated, effectually prevented its execution by a threat of retaliation upon the officers of the royal army who had fallen into their power.

Such were the circumstances and dispositions of the contending parties at the close of the first campaign of civil war, and of the eventful year 1642.

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[a] May.

CHAPTER XXV.

1643.

Parliament sends commissioners to treat with the king,—their reception.—Treaty suspended.—The king's hopes of foreign succours, and insincerity in treating.—Landing of the queen from Holland.—Treaty of Oxford resumed.—Disingenuous conduct of the king.—The treaty broken off.—Speeches against and for a peace.—Scotch commissioners to the king,—his behaviour towards them.—Return of the queen from Holland with officers and military stores.—Circumstances of her landing at Bridlington.—She proceeds to York,—her intrigues there.—She augments her army,—proceeds to Newark,—is joined by the king at Stratford.—Minor traits of the war.—Account of sir Ralph Hopton.—Sir W. Waller's letter to him.—Account of lord Brook, and Clarendon's forgery regarding him.—Death of the earl of Northampton,—illiberal conduct of parliamentarian officers respecting his body.—Unfeeling conduct of the king.—Brutalities of Rupert,—he is admonished by a royal letter.—Harsh conduct of the king towards colonel Fielding.—Essex puts his troops in quarters.—Plots of parliamentarian officers detected and punished.—The two Hothams.—Sir A. Carew.—Bristol conspirators.—Account of Waller's plot.—Ordinances of parliament.—The queen impeached.—The king forbids obedience to ordinances.—Hyde dissuades him from commanding a dissolution.—Death of Hampden.—Anecdote of the king.—State of the royalists in Oxford.—Defeat of Waller at Roundway Down.—Capture of Bristol by Rupert.—Disputes between princes Rupert and Maurice and the marquis of Hertford.—How decided by the king.—Character of Rupert, and sentiments of the nobility.—Dangers of the parliament.—Peace party in the house of lords.—Strong and able measures of Pym and others for continuing the war.—The king determines to lay siege to

Gloucester.—Defence of Gloucester.—Cold reception of the earls of Bedford and Holland at Oxford.—Lords Clare, Bedford and Holland return to the parliament.—Essex relieves Gloucester.—Battle of Newbury.—The king goes into winter-quarters.—Deaths and characters of lords Sunderland, Carnarvon, and Falkland.

NOTWITHSTANDING all the discouragements which the parliament had experienced in its attempts to treat with the king, the restoration of peace, ever the dearest wish of all true lovers of their country, was still believed by many to be attainable without a further trial of strength; and fresh negotiations were in consequence set on foot. On January the 28th, Charles, at the desire of both houses, granted a safe-conduct for the earls of Northumberland, Pembroke, Salisbury and Holland, and eight commoners, charged with propositions from the parliament: Whitelock, one of the number, supplies us with the particulars of their proceedings.

They made their entry into Oxford in great state; each peer in his coach and six conveying two of the members of the house of commons, and a number of servants on horseback attending them.

"Some of the soldiers and of the rascality of the town, and others of better rank though of like quality," reviled them as they passed by as rebels and traitors, of which they took no other notice than to complain to some of the king's officers, who seemed to be very angry at it. Their first access to the king was in the garden of Christchurch, where he was walking with the prince and several noblemen.

All of them kissed his hand in their order of precedence; and when it came to the turn of Edmund Waller, his majesty said; "Though you are the last, yet you are not the worst, nor the least in my esteem:" a token of favor which was remarked at the time, and afterwards fully explained!

After they had kissed the hand of the king, the little prince of Wales offered his for a like mark of homage. "The earl of Northumberland read the propositions to the king with a sober and stout carriage; and being interrupted by the king, he said smartly, 'Your majesty will give me leave to proceed.' The king answered, 'I, I;' and so the earl read them all through." The king offered conditions on the other side, to make way for a treaty, but nothing further was done till the beginning of March. The demands of the parliament were the same in effect as at York, and Charles had never been less disposed to submit his claims to a compromise. In a letter to marquis Hamilton of December the 2nd he had thus declared himself: "I have set up my rest upon the goodness of my cause, being resolved that no extremity or misfortune shall make me yield; for I will be either a glorious king or a patient martyr[a]." His spirits had since been cheered by several partial successes of Rupert's, by the progress of the earl of Newcastle in associating the northern counties in the royal cause, by movements in his favor in the West, and especially by the ex-

[a] *Memoirs of the Hamiltons*, p. 203.

pectation of large succours from abroad to be accompanied by the queen in person. A letter had been intercepted and read in parliament, supposed to be written by Goring, who after yielding Portsmouth almost on the first summons had transported himself to Holland to aid in the preparations there, which gave a highly encouraging view of their progress. It boasted of large supplies of money from the prince of Orange and from France; of cannon, and arms for horse and foot, part of them sent by the king of Denmark, some of which were already shipped for Newcastle, and the rest on the point of being embarked with the queen. Three regiments of his majesty's subjects then serving in France,—Irish probably and catholics,—were announced as ready to come if required, and confident expectations were expressed that the royal army would be enabled to support itself by subsidies forcibly raised upon the people throughout the kingdom; which, it was added, "are all encouragements to make us expect no treaties to be admitted, but upon terms of great honor and advantage to his majesty[a]." His parting promise to the queen to come to no agreement unknown to her, was likewise constantly present to the memory of Charles. Various considerations however impelled him to encourage a renewal of the treaty; of which perhaps the principal was, the necessity of satisfying the importunities of those men of rank, fortune and character amongst his own

[a] Rushworth, vol. v. p. 69.

adherents, whose deep stake in the country rendered them constantly urgent for the restoration of tranquillity, and to whom he could not with safety avow his real sentiments and designs. The details supplied by Clarendon in his Life of himself leave us no possibility of doubting the utter insincerity of the king throughout the negotiation.

Between the first overtures in January and the further proceedings in March, the queen had landed from Holland, and the parliament had intercepted a letter written by her to the king immediately on her disembarkation, in which she expressed her apprehensions of a bad peace, and declared that she would never live in England if she might not have a guard for her person; and it was plain that the king had purposely protracted the business in expectation of her arrival[a].

The parliamentary commissioners on their second appearance at Oxford were reduced, by the king's refusal to receive lord Say, to five;—the earl of Northumberland and four commoners. They were tied up so strictly by their instructions as to have no power to alter even a word in the articles, and only twenty days were allowed them; six to arrange a cessation of arms, and the rest to conclude the treaty. To the cessation the king, by the admission of Clarendon, was totally averse, thinking that if once he agreed to it, he should be unable to avoid consenting to the peace; and he there-

[a] *Life of the Earl of Clarendon.*

fore, by a kind of fraud upon his own official advisers, secretly directed "the gentlemen of different counties attending the court" to present him with an address against it. "Upon which," says Hyde, "the chancellor of the exchequer" (meaning himself, on whom that office had just been conferred,) "told him, when the business was over, that he had raised a spirit he would not be able to conjure down ..... which proved true. For he was afterwards more troubled with application and importunity of that kind, and the murmurs that arose from that liberty, when all men would be counsellors, and censure all that the council did, than with the power of the enemy[a]."

The counter-statements of the parliament accuse the king of granting and then violating the armistice. The commissioners, however, proceeded to the treaty itself; and to smooth difficulties, Mr. Pierpoint, one of the number, secretly made the mean and futile proposal, that the king should gain the earl of Northumberland, who was privy to this proposition, by a promise of restoring him after a peace to the office of lord admiral; but Charles professed himself too deeply offended at what he thought the ingratitude of that nobleman to consent[b]. Meantime he continued to trifle the time with a show of irresolution.

"The king," says Whitelock, "used us with great favor and civility: and his general Ruthven, and

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[a] *Life of the Earl of Clarendon*, p. 39. [b] *Ibid.* 37.

divers of his lords and officers, came frequently to our table; and we had very friendly discourses and treatments together..... Our instructions were very strict, and tied us up to treat with none but the king himself..... He had commonly waiting on him when he treated with us, prince Rupert, the lord keeper Littleton, the earl of Southampton, the lord chief justice Banks, and several lords of his council, who never debated any matters with us, but gave their opinions to the king in those things which he demanded of them, and sometimes would put the king in mind of some particular things, but otherwise they did not speak at all..... In this treaty the king manifested his great parts and abilities, strength of reason and quickness of apprehension, with much patience in hearing what was objected against him; wherein he allowed all freedom, and would himself sum up the arguments, and give a most clear judgement upon them." He goes on to say, that it was Charles's unhappiness to have a better opinion of others' judgements than of his own, although they were the weaker; and to this infirmity he ascribes it, that when, upon one of the most material points of their treaty, the king professed himself perfectly satisfied with their reasons, and promised that on the morrow, as it was then late at night, he would give them in writing such an answer as they desired;—the next morning he offered them a quite contrary answer, and one very likely to break the treaty; and on their expostulating, and pressing his royal promise to them,

confessed that he had changed his mind. Some of his own friends, it is added, of whom they inquired respecting this matter, told them that after both the commissioners and his own council had left him, "some of his bedchamber (and they went higher,)" hearing what answer he had given, and fearing it would tend to peace, whilst they rather desired a continuance of the war, never left persuading him till they had prevailed upon him to retract. But it is plain that Whitelock was here a dupe to the artifices of the king.

Tired at length of unprofitable discussions, Charles sent a final message to the parliament, importing that if they would restore all their expelled members, and adjourn their meetings to some place twenty miles from London, he would then consent to disband his armies and return speedily to his parliament, according to their demand. The two houses on receipt of a proposal which could scarcely be regarded as serious, ordered their commissioners to return without delay, which they did on April the 15th, leaving the hopes of peace colder than ever.

With reference to these negotiations two speeches made in the council at Oxford, the first by the earl of Bristol against a peace, the other by the earl of Dorset in favor of it, are sufficiently remarkable to merit notice. The proscription of his son lord Digby as an evil counsellor, seems to have warped the principles as well as exasperated the spirit of Bristol, once manly and generous. The grounds on which he condemned a treaty were, first, the sacrifice which it would involve of the interests of

those of the nobility who had been declared delinquents, and their estates in consequence confiscated by the parliament; and secondly, the dishonor it must be for a king, "the immediate figure of heaven and the deity on earth," to beg peace of his subjects. He affirms that in Spain, with which his embassies had well acquainted him, there was scarcely any memory of intestine wars, because there the people are truly subjects and their sovereign truly a sovereign; if the people will not permit the same to be the case here, his reason tells him they should be compelled to it.

Dorset, on the other hand, once so noted for his servility and corruption as a courtier and surpassing iniquity as a judge in the star-chamber, apprehensive perhaps of being called to account by the parliament, for the illegal acts in which he had been implicated, assumes the tone of a patriot. He pleads in answer to Bristol, that the parliament had denounced none but those whom it regarded as evil counsellors; that the innocent had nothing to fear from its justice; and that he who could from any cause prefer his private good before the public utility was but a bad son of the commonwealth: He had himself, he said, suffered as much as any in these wars, his houses had been searched and arms taken out of them, and his heir committed to prison, but he passed by these discourtesies as unavoidable, and should strive to promote a settlement as "the darling business of the kingdom," and equally conducive to the good and honor of the king as to the rights, privileges and prosperity of every rank and class of people.

That amongst the English, freedom by long enjoyment had become a second nature, and it was not safe for an English king to strive to introduce the Spanish government upon this freeborn nation, nor just for the people to suffer it: That whereas the earl of Bristol intimated the strength and bravery of the royal army, which could not be denied, as an inducement to continue the war in hopes of a fair and happy peace, he was utterly repugnant to this opinion, for "yet," he emphatically added, "have we infinite disadvantages on our side; the parliament having double our number, and surely, though our enemies, persons of as much bravery; nay, and sure to be daily supplied when any of their number fails; a benefit which we cannot boast; they having the most popular part of the kingdom at their devotion, all, or most of the cities, considerable towns and ports, together with the mainest pillar of the kingdom's safety, the sea, at their command, and the navy, and which is most material of all, an unexhausted Indies of money to pay their soldiers out of; the liberal contributions of coin and plate sent by people of all conditions who account the parliament's cause their cause, and so think themselves engaged to part with the uttermost penny of their estates in their defence, whom they esteem the patriots of their liberties." On all these considerations his voice was for an immediate treaty[a].

It had by this time become evident that the Scot-

[a] Rushworth, v. 127. et seq.

tish people were not disposed to remain longer mere spectators of the distractions of the sister kingdom. We have already traced the steps taken by Charles, in contemplation of coming to extremities with his parliament, to secure at least the neutrality of the covenanters. In addition to the boons which he then distributed amongst various classes of persons, he had since held out to the nation the enormous promises that one in three of all English offices in his gift should be set apart for them, and that the counties of Northumberland, Cumberland and Westmorland should be annexed to the kingdom of Scotland. But in their common love of civil liberty, and hatred of episcopal domination, and their common distrust of the king's intentions, the parliament of England possessed a pledge for the friendship of their northern brethren stronger than any which it was in the power of Charles to exact. About the middle of the last year the Scotch had made an offer of their mediation between the contending parties in England, and the king had sent the chancellor Loudon to Edinburgh to endeavour to procure a declaration of the privy-council there in his favor; but the royal party having been outnumbered in that body, their interposition was delayed at his majesty's request.

On the commencement of hostilities, and the assembling of the earl of Newcastle's army on the borders, the privy-council and the conservators of the peace appointed by the last Scotch parliament renewed their offers of mediation; and deputed a

committee of three laymen, to whom the church added their redoubted champion Henderson, to confer with the king at Oxford. Their reception was far from gracious: the king demanded first to see their instructions, which they were averse to showing; and next questioned their power to treat. Afterwards neither he nor his secretaries could find leisure to give them an answer. "No private nor familiar converse they got, but all in public, in a very harsh way." With Henderson only, who had been brought thither by the advice of William Murray, as one "likely to do wonders with the king," he entered into conference, endeavouring to persuade him of the justice and necessity of his arms, and the injurious treatment he had received from the parliament. But failing to gain the assent of his auditor, "he did at once change his countenance." The lives of the commissioners were very uncomfortable during their whole stay at Oxford. Letters to and from them were opened, and on their complaint, redress was refused except on condition of their procuring from the English parliament a safeguard for his majesty's letters. "None durst show them any sensible favor. In the streets, and from the windows they were reviled by all sorts of people; and by their secret friends they were desired to look to their persons, as if from stabbing or poison there had been some danger from that enraged party of prelates and papists against whom the commission was express[a]." The business of these

[a] Baillie's *Letters*, i. 359.

delegates had three principal branches:—to recommend an amicable adjustment of political differences between the king and parliament on the footing of such a compromise as the late treaty had proved impracticable;—to urge the establishment of their own form of church government in England, on the ruins of episcopacy;—and to desire for Scotland the immediate convocation of a parliament. The last demand the king at once rejected, from the well-grounded apprehension of a union of counsels between the legislatures of the two kingdoms; respecting the second, Clarendon in his Life of himself supplies a remarkable piece of secret history.

On receiving, he says, from the Scotch commissioners, a long paper containing a bitter invective against bishops and the whole government of the church as contrary to the Word of God, concluded with a very passionate desire for an alteration, the king carried the piece to his council for their advice. Anxious to take this opportunity of manifesting his zeal for the church, and thus deterring all others from urging upon him any similar propositions, he entered on the subject with unusual warmth: "He had a great mind to have made an answer to every expression in their paper; and to have set out the divine right of episcopacy; and how impossible it was for him ever in conscience to consent to anything to the prejudice of that order and function.... mentioning those [reasons] which the ablest prelate could do upon that occasion." "Many of the lords were of opinion that a short answer would be best,"

rejecting the proposition without giving any reason, and no one agreed with his majesty; which caused him to make a sharp reply to their arguments. Yet lord Falkland was not to be deterred from pursuing the debate; and he set aside many of the king's reasons as invalid "with a little quickness of wit;" which so chafed his majesty that he reproached all who were of that mind with want of affection for the church, declaring that he would have the substance of what he had said digested into his answer. "With which reprehension all sat very silent, having never undergone the like before." In the end however Hyde was able to persuade him, that a simple reprehension of the Scotch for interfering in a matter with which they had no concern, would better suit the occasion. The commissioners, thus disappointed of the opportunity they hoped of engaging the royal theologian in a regular debate on his favorite topic, returned to London "with manifest dissatisfaction."

The results of their conferences with the parliament will appear hereafter.

During these negotiations at Oxford Goring, returning from Holland, landed in the North with what was audaciously styled "the queen's standard," and she herself lost no time in following this extraordinary harbinger. The year which she had spent at the Hague had been actively employed, and through the favor of the prince of Orange, with success. In despite of the remonstrances of an agent sent by the parliament to remind the States

of the services formerly rendered by the English nation to the cause of Dutch liberty, and to claim at least their neutrality in the present contest, the queen was permitted to complete her preparations, and almost openly to load a number of vessels with warlike stores, and to enlist many officers and some troops. A Dutch fleet was likewise sent to escort her. She seems even to have interested the people of Holland in her fate, and was well treated by them, although, as she intimated to Madame de Motteville, the republican independence of their manners was little to her taste. The burgomasters, she complained, would seat themselves in her presence and converse with her as with an equal; and they would even enter the room with their hats on, and after looking at her, retire without saluting her.

The fleet by which she was attended consisted at first of eleven sail, but a tempest drove her back, and compelled her after eleven days passed on board to land again near the Hague. Two of her ships perished, but after reposing herself for a fortnight, she put to sea once more with the remaining nine, and landed safely in Bridlington Bay about the end of February. On the second day after, Batten, vice-admiral under the earl of Warwick, who had waited to intercept her passage, came into Bridlington Roads with four men of war, and cannonaded the place with such effect, that the balls struck the house in which she was passing the night. Jermyn, who was as usual in close attendance, came and informed her that she was in extreme danger and must make her

escape; and attended by the duchess of Richmond and other ladies, she took shelter under the banks of a deep gully near the town. In the meantime Tromp, the Dutch admiral, sent a message to Batten requiring him to cease firing, or "he would not be a looker on[a]." Henrietta boasted to Madame de Motteville of her own heroism in turning back after she had quitted the house, to fetch a little favorite dog which she had left sleeping in her bed. A part of the earl of Newcastle's army was quartered at Bridlington awaiting her majesty's arrival; and the earl himself soon joined and conducted her in safety to York, whither he himself had found it expedient to retire on receiving a severe check from the Fairfaxes by the capture of Wakefield, which contained his magazines.

At York the queen remained for some time stationary, more pleased with her separate command, than impatient to return to her husband, and occupied partly in the levy of troops, partly in the more congenial task of weaving intrigues, tampering with opponents, and discussing the projects of the different party-leaders who hastened into her presence. Of this number were the marquis of Hamilton and Montrose, each of whom had his separate plan for engaging Scotland in the royal cause; Hamilton, according to his custom, suggesting secret means of gaining over the parliament of that kingdom, in despite of the predominating influence of Argyle;

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[a] Kingsby's *Journal*, MS.

Montrose, on the other hand, proposing that Antrim, who had likewise repaired to York, should make a landing at the head of his savage sept on the western coast; that the equally savage Highland clans should be raised; that Monro who commanded the Scotch troops in Ireland, should be bought over, and that the chiefs of the covenant should be massacred; and he offered his own services to execute as well as to plot these atrocities. The last proposal was the most congenial to the spirit of Henrietta; but she was careful to welcome with smiles and flatteries all tenders of succour to the cause. By offers and promises, she also contrived to shake the fidelity of more than one of the parliamentary commanders in her neighbourhood; sir Hugh Cholmley, governor of Scarborough, who had not long before gained credit by the defeat of a considerable body of royalists, agreed to deliver that place into her hands; and the younger Hotham, on visiting York to settle an exchange of prisoners, was induced to barter his fidelity for a bribe. It is recorded to the honor of the brave and loyal sir Marmaduke Langdale, who had an intimacy of long standing with Hotham, that he refused to be made an instrument in tempting his friend to perfidy.

The pieces of cannon brought by Henrietta from Holland were popularly styled the queen's Gods, and the army of the North was stigmatized as the queen's or the papists' army; but in despite of these sarcasms its numbers daily increased, and in the

month of May, her majesty determined to begin her march southwards. The earl of Newcastle escorted her from York to Pomfret with his whole force, but cause of jealousy was given him by this singular intrusion of a female commander, and by the partiality she exerted in favor of her own courtiers, and it was not without reluctance that on taking his leave he made over to her majesty a large body of horse and foot raised by himself[a]. From Pomfret she proceeded to Newark where she delayed a fortnight. Henrietta boasted to Madame de Motteville that on this march she banished female weakness, was always on horseback, ate with the soldiers in the open field, and by treating them like brothers made them love her dearly; but of her military exploits she made a jest, confessing that they were limited to the capture of one ill-defended town (Burton-on-Trent). It is added by this French memorialist that the king received his consort with joy and praise, and that the royal pair trusted with such fine armies to subdue *their* rebellious subjects: An expression which affords a curious proof how completely Henrietta was regarded, by herself and her compatriots and courtiers, as the partner of the power and office as well as the rank and state of her husband!

Charles met his queen near Edgehill on July the 13th, Rupert having previously joined her at Stratford.

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[a] *Life of the Duke of Newcastle* by his duchess, p. 28.

During the winter, whilst the two principal armies remained stationary, that of the king at Oxford, and that of Essex around Windsor, some sharp skirmishes passed, many towns were gained or lost to one or the other party by the efforts of detached bodies acting almost independently under district-chiefs bearing royal or parliamentary commissions, and the desolated country was scoured far and wide by Rupert, whilst sir William Waller gained equal fame by his active enterprise on the other side. Two or three of the incidents of this minor war demand notice on account of the moral features which they display.

Amongst the gentlemen of consequence in the West, sent by the king from York to assist the marquis of Hertford in executing the commission of array in those parts, one of the most distinguished was sir Ralph Hopton of Witham in Somersetshire, a member of parliament, who on account of some speeches in defence of the king had lately been committed to the Tower by order of the house. By great intrepidity and exertion, sir Ralph succeeded in making very considerable levies for the king in Cornwall, a county previously under the sole authority of the parliament, and in the month of January he brought his men to action with the forces under general Ruthven on Bradock Down near Liskeard. Sir Ralph, accustomed to the discipline of the Low Country wars, long attached to the popular cause in parliament, and still regarded by the courtiers from the strictness of his manners as a puritan, caused

prayers to be read at the head of each corps as it stood in array, in presence of the enemy; a circumstance rare, if not absolutely unparalleled on the king's side. The royalists obtained a decisive victory, putting their enemies to the rout and taking cannon, colors, and many prisoners: but the slaughter was not considerable; for according to Clarendon, "the common men in the civil war shed little blood after resistance was over, insomuch as when pressed by some fiercer officer to follow the execution, they have answered, 'They could not find in their hearts to hurt men who had nothing in their hands.'" A trait of national character of which England may be justly proud!

It would be painful to believe the gallant Hopton, in his own person the very model of disinterested fidelity to the cause which he had conscientiously embraced, capable of an attempt to corrupt the integrity of a friend; he made, however, to his old and affectionate intimate sir William Waller a proposition for a somewhat suspicious kind of conference, which was declined in the following noble and affecting letter.

Sir William Waller to Sir Ralph Hopton.

Sir, Bath, June 16, 1643.

The experience I have had of your worth, and the happiness I have enjoyed in your friendship, are wounding considerations when I look upon the present distance between us. Certainly my affec-

tions to you are so unchangeable, that hostility itself cannot violate my friendship to your person; but I must be true to the cause wherein I serve. The old limitation of *usque ad aras*, holds still; and where my conscience is interested, all other obligations are swallowed up.

I should most gladly wait on you, according to your desire, but that I look on you, engaged as you are in that party, beyond a possibility of retreat; and, consequently, incapable of being wrought upon by any persuasions; and I know the conference would never be so close between us, but that it would take air, and receive a construction to my dishonour.

That great God who is the searcher of my heart, knows with what reluctance I go upon this service, and with what perfect hatred I look upon a war without an enemy. But I look upon it as *opus Domini*, and that is enough to silence all passion in me. The God of Peace in his good time send us peace, and in the meantime fit us to receive it!

We are both on the stage, and we must act the parts that are assigned us in this tragedy. Let us do it in a way of honor, and without personal animosities. But, whatever be the issue, I shall not willingly relinquish the dear title of your affectionate friend and faithful servant,

W. WALLER.

To my noble friend
Sir Ralph Hopton at Wales[a].

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[a] Polwhele's *Traditions and Recollections*, vol. i. p. 15. London, 1826.

Clarendon imputes to Hopton, on a later occasion, a too great eagerness to fight with his old friend Waller, which brought disaster on the king's troops.

Lord Brook, in whom the parliament justly reposed the highest degree of confidence, had been appointed general for the associated counties of Northampton, Leicester, Derby and Warwick, and distinguished himself by many active services. Learning that the earl of Chesterfield, with some Staffordshire gentlemen, had thrown themselves into Litchfield, and taken possession for the king of the cathedral Close, which they hoped that its strong walls and moat would enable them to maintain, he collected a body of foot and horse, and on March the 1st appeared before the city. Here, whilst he was causing a battery to be thrown up against the Close, and himself superintending the work from an adjacent window, a musket shot aimed from the battlements of the cathedral entered his eye and killed him on the spot. From this incident occurring on the anniversary of St. Chad, the patron of the cathedral, to a zealous puritan, in an attempt considered as sacrilegious, Clarendon has taken occasion to give it the air of a judgement. "It was reported," he says, "that in his prayer that very morning, (for he used to pray publicly though his chaplain were in the presence,) he wished, 'that if the cause he were in were not right and just, he might be presently cut off.' They who were acquainted with him," he adds, "believed him to be well-natured and just; and rather seduced and cor-

rupted in his understanding, than perverse and malicious. Whether his passions or his conscience swayed him, he was undoubtedly one of those who could have been with most difficulty reconciled to the government of church or state: and therefore his death was looked upon as no ill omen to peace, and was exceedingly lamented by that party, which had scarce a more absolute confidence in any man than in him[a]." The noble historian has in this place neglected to record the fact, of which he has made great boast in his Life of himself, that a speech in parliament against peace, published as lord Brook's, which shocked all good men by the unchristian bitterness of its sentiments and expressions, was, like many similar pieces, a deliberate forgery of his own, for the purpose of discrediting a conscientious and formidable opponent. Lord Brook himself moved in parliament to have it burned by the hands of the hangman[b].

An action took place in March, on Hopton Heath near Stafford, between the united forces of Gell and Brereton, and the earl of Northampton, a zealous and active officer for the king. The reports of this fight are very contradictory; it is certain, however, that the parliament's horse were routed, and that their cannon and ammunition fell into the hands of the royalists;—an advantage however which these regarded as dearly purchased by the loss of their

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[a] *Hist. Rebellion*, iii. 455.

[b] *Life of the Earl of Clarendon*, Part ii. pp. 34 and 35.

general, who, having had his horse shot under him, remained surrounded by his foes, and was slain bravely fighting; having, as it is asserted, refused to accept of quarter from "rebels." His dead body remained with the parliamentarians, who kept the field; and the next day, on his son's requesting to have it given up to him for burial, Gell and Brereton sent an answer demanding in exchange the restitution of their cannon and prisoners. This condition being refused, as unreasonable and contrary to the law of arms, a subsequent petition from the young earl, to be permitted to send his surgeon to embalm his father's body until it could receive due sepulture, was also ungenerously and illiberally denied. For this story we have indeed no better authority than the dishonest pen of Clarendon; but the bad character given by Mrs. Hutchinson of sir John Gell, renders it, with respect to him at least, sufficiently credible. The historian observes that the earl of Northampton, unlike some persons who warily divided their sons between the two parties, dedicated his whole family to the royal cause; his four sons being officers under him, three of whom charged in the field that day.

Rupert, amongst other exploits, entered Cirencester, where the county magazines were placed, and having put to the sword the whole of the earl of Stamford's regiment, and many more, possessed himself of 3000 stand of arms and also of 1100 prisoners, with which he returned to Oxford. These

unfortunate captives, described as barefooted, half-naked, tied together with cords, beaten, and driven along like dogs, he led in triumph into the city, where, as we are told, the king, accompanied by many noblemen, "was content to be a spectator of their calamities, but gave neither order for their relief, or commands for ease of their sufferings; nay, it was noted by some there present, he rejoiced in their sad affliction[a]."

By this unfeeling conduct Charles is said to have alienated some of his own adherents; and so loud was the outcry against the military brutalities perpetrated by Rupert, especially at the capture of Birmingham, which was sacked and half of it burned down, that soon after, whilst he was engaged in the siege of Litchfield, it was found necessary to address to him a royal message on this topic. He is here admonished that his majesty would by no means have him seek to anticipate the divine revenge on his subjects: that, on the contrary, his majesty laments the blood shed on both sides, and desires him and all others serving him in this lamentable war, to mingle severity with mercy, and by gaining on the opinion of the subjects, to "take their affections rather than their towns." "We know," it is added, "that our army is maligned, as if it were repugnant to the good of the commonwealth to accept our subjects' service in these great and civil distractions; do you therefore,

[a] Lilly's *Observations*, p. 14. Compare also Whitelock, p. 67.

good nephew, by your managing all affairs in this civil war, teach our people to be undeceived in us their merciful king; let your fair actions make it appear that you are no malignants, no evil counsellors, ... and that you seek not the ruin and destruction of our kingdoms, which aspersions are cast upon you, which can be no acceptable service unto us."

In conclusion, the prince is enjoined in his siege of Litchfield, to have a care of shedding innocent blood, and to allow the people, if they desire it, to have free quarter, and to march out with bag and baggage[a].

About the middle of April, the earl of Essex, quitting his winter quarters, commenced the campaign by investing Reading; and Charles, after dispatching orders to Rupert to quit Litchfield and march to raise the siege, finding that this succour would be tardy, set out from Oxford in person, at the head of a considerable force, for the same object. Before he reached his destination, colonel Fielding, on whom the command of the place had devolved, quitted it by night, and waiting upon the king obtained his sanction to proceed in settling the articles of a capitulation for which he was already treating. The king nevertheless remained in the neighbourhood watching his opportunity to relieve the town, and actually threw in a supply of gunpowder, after the terms of surrender had been agreed upon. But the garrison, at Fielding's ex-

[a] Rushworth, v. 149.

hortation, "refusing to draw out because of the treaty," this perfidious attempt was frustrated; and these troops having quitted the place with the honors of war, on April the 27th, immediately attended the king in his return to Oxford[a].

Fielding, finding himself severely reflected upon at court for this surrender, and the king highly incensed against him, on the pretext of his having admitted an article by which deserters from the parliament were to be given up; was obliged to demand a court-martial for the vindication of his honor, by the sentence of which, though acquitted of the charge of treachery, he was sentenced to death for some trifling disobedience of orders. By "long and great intercession," the king was brought to pardon him at the last moment, when all was in readiness for the execution. His regiment was taken from him, but he afterwards fought with distinguished courage as a volunteer, and obtained at length a principal command in another of the royal armies. The whole circumstances of the case are discreditable to Charles in more respects than one, and Clarendon notes this incident as the origin of busy factions in court and vehement dissensions amongst the military men, from which the king suffered great inconveniences.

The acquisition of Reading brought as its immediate results little but misfortune to the captors.

[a] For this statement of the case, compare the perplexed narrative in the text of Clarendon's History with a suppressed passage of his Life, cited in *Hist. Rebellion*, iv. p. 40. Note.

A great mortality broke out amongst the soldiers, derived from some infection in the town; many of them deserted, the rest became mutinous, and Essex complaining aloud of neglect in supplying him with arms, horses and pay for his men, placed his troops in quarters of refreshment.

During these transactions the arms of the cavaliers were obtaining in almost every quarter of the kingdom a manifest ascendancy, and all the arts of intrigue and subornation were unscrupulously employed by the same party to complete and secure their triumph. In several remarkable instances, however, meditated treasons against the parliament were detected by the vigilance of its chiefs, and visited with due punishment on the heads of the guilty.

Sir Thomas Hotham and his son had concerted a plan for betraying the town of Hull, which was detected on the point of execution, when they were both seized, under the authority of parliament, by colonel sir Matthew Boynton, brother-in-law to sir Thomas, sent prisoners to the Tower, and at length, after a regular trial, condemned and put to death as traitors. A design in which the younger Hotham was also concerned, for giving up Lincoln, was frustrated, though with difficulty. Sir Alexander Carew was seized and committed to prison, and afterwards executed for planning the surrender of Plymouth, where he commanded. On detection of a plot for opening the gates of Bristol to prince Rupert, Nathaniel Fiennes son of lord Say, the governor of the

city, firmly executed the capital sentence of a council of war on two of the conspirators, in defiance of the unwarrantable menace of Ruthven, now earl of Forth, the royal general in those parts, of retaliation upon his prisoners of war; and in defiance also of a vehement proclamation of the king's, commanding the inhabitants of Bristol to rise for the rescue of these delinquents.

In London itself a conspiracy of deeper reach had been brought to light, which was found to aim at the very being of the parliament and the lives of its principal members. Numbers were embarked in it, comprehending courtiers, citizens, and military, nor were even the houses of lords and commons free from participators in the treason. Edmund Waller was a ringleader, and it was by a servant of his who had overheard certain consultations, that intelligence of what was in agitation was conveyed to the ears of Pym. A committee of inquiry was immediately appointed with that leader at its head, who a few days after, on May the 31st, reported to the house the result of its investigations. He stated that the plot was formed of a mixture and conjunction of persons of several qualities, who in their several places and employments were to perfect the work, raised out of the ashes of the late London petition to the parliament for peace: That the chief actors were, Mr. Waller, a member of the house of commons, who pretended and gave out to the rest, that many others of that house and of the lords were concerned in it;—a gentleman named

Tompkins his brother-in-law, (who was employed in the management of the queen's revenue,) Mr. Challoner an eminent citizen,—Mr. Alexander Hampden who brought the last message from the king, and some others: That the method of proceeding was, for several persons in the city to form themselves into a committee to hold intelligence with both armies, the court and the parliament, to take a general survey of the affections of all men within the bills of mortality, and to consider of arms and all provisions of war: That the particulars of the design itself were;—to possess themselves of the king's children,—to secure several members of both houses, especially lords Say and Wharton, and Pym, Stapleton, Hampden and Strode, the lord mayor and the committee for the militia, under pretence of bringing them to a legal trial;—to seize upon the forts, magazines, gates, and other places of importance in the city, together with the Tower, and let in the king's forces, and in the meantime to resist all payments imposed by order of parliament for the support of their armies. For their authority they had a commission from the king empowering them to make levies both of men and money, which the widow of the lord Aubigny slain at Edgehill, being permitted by the parliament to go to Oxford on her private affairs, had brought thence concealed in her hair. This commission was discovered in the house of Tompkins hidden in a cellar, and its date, March the 16th of this year, proved that it was granted during the Oxford negotiations.

The plot was on the eve of explosion; lord Falkland, who was in official communication with the conspirators, had urged to them to hasten the attempt, because it obviously grew every day more difficult to put a stop to the war, which he regarded as the most deplorable of all calamities.

The parliament appointed a solemn day of thanksgiving for this signal deliverance, and drew up an oath, or vow against this or any future similar design, which, though the taking of it was nominally optional, served the purpose of a test. They likewise directed the lord general to nominate a council of war for the trial of the prisoners. By this tribunal four persons were found guilty, of whom Tompkins and Challoner suffered capitally. Both died acknowledging the justice of their punishment, and Tompkins even expressing satisfaction at the failure of a design the results of which might have proved so widely mischievous. Waller was brought to the bar of the house and allowed to plead for himself before his expulsion from it, which was regarded as an essential preliminary to his trial by a court-martial. His speech was humble and deprecatory; but the ready and ample disclosure which an abject terror impelled him to make of all the acts, designs, and even, it is said, of the half-formed propositions and loose discourses of his friends and associates, was the most effectual argument for sparing him. He was indeed both expelled the house and sentenced to death by the council of war; but a reprieve was granted him by Essex, and after

a year's imprisonment, on payment of a fine of 10,000*l.* he was permitted to transport to France himself and his double ignominy. Lords Portland and Conway were imprisoned on strong and just suspicion of having concurred in this design, but discharged after some time for want of proofs.

Amid these complicated perils from the slackness of Essex, the prosperous arms of the royalists in various parts, the treachery which encompassed them on every hand, and the dissensions and factions which began to arise in the bosom of the parliament itself,—the sagacious leaders of the house of commons, who perceived nothing but ruin heralded by disgrace in further efforts at compromise with an uncompromising adversary, introduced, during the single month of May, and carried at length through both houses, three measures of the boldest and most decided character. The first was an ordinance for the calling of an assembly of divines in order to the settlement of religion with "a fit government for the church of England:" The second was an ordinance for making a great seal to be employed by the parliament in place of that which the lord keeper had carried to the king; by which they enabled themselves to perform all the acts of the executive, and amongst others to issue writs for the election of new members in lieu of those who had either died or deserted the parliament for the service of the king: The third, moved by Pym, was an impeachment of high-treason against the queen, charging her, amongst other articles, with pawning the crown jewels, raising the rebellion

in Ireland, endeavouring to stir up a party against the parliament in Scotland, and marching at the head of a popish army in England.

It was partly in retaliation of this last act in particular, that Charles issued, on June the 20th, a proclamation forbidding his faithful subjects to yield obedience to any ordinances or commands of the parliament, on the plea that a majority of the members of both houses having been driven from their seats by threats of violence, he could no longer acknowledge it as a lawful assembly. From Clarendon's more secret history called his Life, we learn that the king would on this occasion have gone a step further by declaring the parliament itself dissolved, and forbidding it to sit again, but for his earnest representation that should his majesty take this step, in defiance of the act passed by himself to render the parliament indissoluble, it would confirm the jealousy with which the people had been corrupted of his designing to annul some other acts of this assembly which were very precious to them.

On June the 18th an action took place on Chalgrovefield in Buckinghamshire between the advanced posts of Essex's army and the royal cavalry under Rupert, in which the parliament sustained a slight defeat but an inestimable loss,—for it was there that the illustrious Hampden received his mortal wound. On the well-known particulars of his death it is not necessary here to dwell[a]; but it is fit to mention, as

[a] The reader is referred to the instructive and interesting narrative of lord Nugent in his "Memorials of John Hampden, Esq." 2 vols. 8vo. London 1832.

an anecdote of Charles, that on receiving the intelligence that he was wounded, transmitted by one Dr. Giles, the rector of a neighbouring parish who had lived on terms resembling friendship with the patriot leader, his majesty "required the Doctor, as from himself, to send to see him,.....for I found," adds sir Philip Warwick, who conducted the messenger to the royal presence, "the king would have sent him over any chirurgeon of his, if any had been wanting; for he looked upon his interest, if he could gain his affection, as a powerful means of begetting a right understanding betwixt him and his two houses."

Hampden died as he had lived, true to the cause approved by his reason and sanctioned by his conscience, and which he sealed with his blood. The last words upon his lips were a prayer for his bleeding country.

It had been the earnest and reiterated advice of Hampden, whose military character largely partook of the energy, combined with profound sagacity, which marked his political genius, that Essex, instead of turning aside to form the siege of Reading, should have marched at once upon Oxford; and if, at that juncture, his counsels had been followed, there is reason to believe that they would have been justified by the event. The panic had been extreme in that city on the first advance of the parliament's army into Berkshire. It was crowded with civil and legal functionaries, with courtiers, with clergy and with ladies, who shuddered at the

very thought of a siege, and whose importunities would either have compelled the king to give battle with inferior forces, for the purpose of checking the approach of the enemy, or, more probably, to march away with his army further North, and leave this important place to capitulate.

Even without the miseries attending a siege, the situation of the royal household and followers shut up in Oxford was sufficiently uncomfortable. Lady Fanshawe thus vividly describes her own situation there and that of her family. "..... From as good a house as any gentleman of England had, we came to a baker's house in an obscure street, and from rooms well-furnished to lie in a very bad bed in a garret; to one dish of meat, and that not the best ordered; no money, for we were as poor as Job, nor clothes, more than a man or two brought in their cloak bags. We had the perpetual discourse of losing and gaining towns and men; at the windows the sad spectacle of war, sometimes plague, sometimes sickness of other kind, by reason of so many people being packed together as I believe there never was before of that quality; always in want, yet I must needs say that most bore it with a martyr-like cheerfulness[a]."

To an assemblage of such persons, so circumstanced, it was natural to become the sport of every passing rumour, to feed on daily hopes and fears, and on the most inadequate grounds to pass from

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[a] *Memoir of Lady Fanshawe*, p. 57.

the depths of despondency to the heights of confidence and exultation; and such we learn to have been in fact the fluctuating temper of the king and queen and the counsellors in whom they confided.

Among the most important of the successes which contributed to raise the spirits of the royal party at this juncture were the total defeat of Waller's army at Roundway Down near Devizes on July the 13th, and the fall of the important city of Bristol on the 26th of the same month; surrendered to Rupert by Nathaniel Fiennes under circumstances which subjected him to a charge of cowardice, and a sentence of death from a court-martial, afterwards commuted for dismissal from the army. To the king however this success was imbittered by the dissensions which immediately broke out between the princes Rupert and Maurice and their superior officer the marquis of Hertford, respecting the right of appointing a governor of the captured city.

On the day after receiving news of the surrender, Charles set out for Bristol, partly to give directions for the regulation of the port, which was of great consequence to him with respect to trade and customs, and as a point of communication with Ireland; partly to put the army upon some new enterprise without loss of time; but chiefly for the sake of being absent from his council at Oxford when he should settle the differences between the princes and the marquis. "For," says Clarendon, "as he was always swayed by his affection to his nephews, which he did not think partiality; so the lords,

towards whom the princes did not live with any condescension, were very solicitous that the marquis should receive no injustice or disobligation[a]."

By the king's award, Rupert gained his object, and Hertford was withdrawn from his command of the western army. In reference to the sentiments entertained of Rupert and of the royal cause itself by nobles who had taken part the most strenuously against the parliament, a passage from the memoirs of sir Philip Warwick may here be quoted. After speaking of some of the actions of this campaign, he thus continues: "The king finding by these experiences in the South how tough the business was like to prove, sent me some time before into the North to the earl of Newcastle. My commission was (for I had but three or four words under the king's hand written in a piece of white sarsenet to give me credit with him,) to try what he meant to do with his army; and whether with a good part of it he would, when the season was, march up southerly, and in a distinct body keep at some distance from the king, to give a check unto the southern army. But I found him very averse to this, and perceived that he apprehended nothing more, than to be joined to the king's army, or to serve under prince Rupert; for he designed to be himself the man that should turn the scale, and to be a self-subsisting and distinct army wherever he was. Which when I perceived fixed in him, being

[a] *Life of the Earl of Clarendon*, part iii. p. 40.

left to discretion, I thought it more reasonable to wave it, than press him to the contrary[a]."

The same writer making mention elsewhere of Rupert, after doing justice to his military qualifications, admits that he had a sharpness or moroseness in his temper which led him to treat with contempt such opinions as he did not approve, and produced mutual distastes between him and "the counsellors of civil affairs, who were necessarily to intermix with him in martial counsels." And these great men, he says, often distrusted such downright soldiers as the prince, lest they should be too apt to prolong the war, and to obtain that by a pure victory which they wished to be got by a submission upon modest speedy and peaceable terms, or by addresses of the two houses to the king. He concludes by observing, that had the king more vigorously interposed, and been master of both parties, his arms had probably been much more prosperous; but that neither of them stood in awe of him, and thus the consequence was fatal. It is however manifest, that Charles was from the beginning as much bent on prostrating all opposition by decided and total victory as Rupert himself; and that it was by grasping pertinaciously at this object, in which the aristocracy of the country were for the most part indisposed to concur, that he finally lost all.

Thoroughgoing partisans were certainly the only ones to whom the king was at any time disposed

[a] Warwick's *Memoirs*, p. 242.

to show countenance; and of the uncompromising rigor with which it was his pleasure, or his nature, to visit the delinquencies even of repenting opponents he was soon to give memorable proofs.

The policy of the parliamentary leaders was of a different stamp, and productive of opposite results. This period was the beginning of their greatest difficulties. Republican principles had begun to be avowed by a few: Henry Martin, in defending before the house of commons a person accused of libel, had given utterance to the sentiment that it was better that one family,—and he confessed that he alluded to the royal one,—should be destroyed than the whole people. He was indeed committed to the Tower for these words, but the thought was probably that of numbers. The Independent sect was striving to lift itself up in opposition to the Presbyterian; and between the daring enthusiasm of the first and the inflexible bigotry of the last, it was plain that the impending conflict would be both fierce and obstinate. Alarmed by these movements towards a popular revolution in church and state going far beyond any changes which they themselves might have desired or proposed, and anticipating likewise final success to the royal cause, a party forming a majority of the slender remains of a house of lords which still assembled at Westminster, had combined for the purpose of carrying a motion for concluding a peace. The terms proposed were those of a nominal compromise, but they were such in effect as would have laid at the

foot of the throne at once the liberties of the parliament and the nation, and the lives of their bold and firm defenders. Persons of no less weight than the earls of Northumberland, Bedford, Holland and Clare; and what was still more alarming, Essex himself, had engaged in this design: The parliamentarian general had openly complained of inattention to the wants of his troops, and had urged a treaty in such a tone as to give cause to fear that their own army might be employed by its leader to coerce or overawe the parliament itself. At the same time London, without fortifications and almost without an army, lay open to any attempt on the part of the king.

Pym and his associates proved themselves equal to all the demands of such a situation. By great efforts they obtained a majority of two in the house of commons in favor of the adjournment of the propositions of peace. They appealed to the people by means of the preachers of greatest influence, on the guilt as well as danger of coming to terms with a prince bigoted to episcopacy, and whose armies were filled with papists: A report was spread of the landing of ten thousand Irish;—and the result of the whole was a multitude of petitions from the common council and from various classes of citizens against an accommodation. This point gained, sir William Waller was welcomed on his return from a defeat which had left him without troops, as though, says Clarendon, he had brought the king prisoner, and active means were taken to

supply him with a fresh army. An ordinance passed for empowering lord Kimbolton, now earl of Manchester, to raise a force in the eastern associated counties capable of opposing Newcastle; the fortifying of London was resumed with enthusiasm, and having thus intimated to Essex that he was not their sole reliance in warfare, the parliament deputed a committee to soothe his wounded feelings by respectful and gratifying expressions, and by the promise that no other army should be recruited until his ranks should be filled, and clothing and arrears supplied to his soldiers. The last was a measure of sound policy which baffled many intrigues: By it, and by the private appeals of Pym and others to the better sense and better principles of Essex, he was so confirmed in that adherence to "what he called his trust," with which Clarendon is pleased to reproach him, that he sternly rebuked the earl of Holland for having proposed to him to betray his employers; and by his secession the whole cabal of the peers was broken up. Nothing was now left, either to those who had hitherto remained with the parliament by the king's permission solely to promote dissensions and weave plots for his benefit, such as Portland, Conway and Lovelace, or to the others who were projecting to earn his forgiveness by some treachery against the party which they had hitherto in earnest embraced,—but openly to seek refuge at Oxford, where their machinations could be no longer dangerous to the parliament.

Such was the attitude in which the popular leaders had placed affairs, when the question came into discussion with the king and his military advisers at Bristol towards what point he should now turn his victorious arms. The queen and her sanguine advisers at Oxford had already urged his marching immediately upon the capital, the gates of which they conceived would be opened to him amid the dissensions, the alarm, the secret weariness of the contest which they imagined to prevail in the parliament and the city.

But the experience of Brentford had not been lost upon Charles or his more sober counsellors; it was perceived that the leaders had recovered all their energy, that they were seconded by the people; by this time also the excuses of the earl of Newcastle had been received for continuing the siege of Hull instead of marching southwards to cooperate with the royal army; the succours to be sent from more distant quarters or the diversions to be effected there, were not yet in readiness; and the king, probably on a sound calculation of chances, resolved to decline this enterprise for the present, and to lead his troops in person to form the siege of Gloucester, an undertaking which was represented as at once easy and fraught with advantages to his cause, and of which Colepepper was the chief adviser.

Indignant at this decision, which she imputed to the anxiety of her opponents, and of Rupert in particular, to detain the king with the army far from

her and Oxford, Henrietta summoned her husband to come and give her satisfaction in the matter, and the monarch so far complied as to make a journey from Gloucester for the purpose of soothing her; but proof for once against the representations and persuasions of her towards whom he was usually so weak, he quitted her the next day in pursuance of his original intention.

It was on the 10th of August that the king, "attended with a great and gallant army, full of the flower of the English nobility and gentry[a]," arrived before Gloucester. Every circumstance conspired to flatter him with the expectation of being speedily master of the place: The garrison did not exceed one thousand five hundred men; the fortifications were of vast extent, and in a very unfinished state; the store of powder was scanty, and the artillery very inadequate to the service. No succours could be obtained nearer than London; the inhabitants of the neighbouring country, far from aiding or encouraging the defence, were impatient for the surrender of this last garrison to relieve them from a thousand evils by putting an end to the war in that quarter.

In spite however of these discouragements, the citizens, inspired by a generous devotion to the cause which they had espoused, and encouraged by confidence in Massey their governor,—an excellent officer formed in foreign service,—were determined

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[a] May.

on holding out; and to the somewhat haughty summons of the king to surrender on the terms of pardon to themselves and safety to their property, they made this answer: That they kept that city according to their oaths and allegiance for his majesty and his posterity, and held themselves bound to obey his royal commands signified through both houses of parliament. On receiving this message, the indignation which its terms were fitted to excite in the bosom of Charles was apparently swallowed up in surprise at its boldness, and perplexity to conceive by what prospect of relief it could be supported: "Waller," he said in hearing of the messengers, "is extinct, and Essex cannot come[a]."

The apologist of Charles, apparently with the purpose of insinuating that the contempt with which his message was received rendered it a point of honor with the king to persevere in the siege, notwithstanding many contrary votes in his council, has amused himself with penning the following splenetic description of the appearance and behaviour of the bearers of this answer. Two hours only of deliberation had been allowed the garrison by his majesty; but, he says, "within less than the time prescribed[b], together with the trumpeter returned two citizens from the town, with lean, pale, sharp and bald visages, indeed faces so strange and unusual, and in such a garb and posture, that

[a] May, p. 217.

[b] In a suppressed passage, he himself states, on the contrary, that they kept his majesty waiting several hours for an answer. See *Hist. Rebellion*, iv. 223, Note.

at once made the most severe countenance merry, and the most cheerful hearts sad, for it was impossible such ambassadors could bring less than a defiance. The men, without any circumstance of duty or good manners, in a pert, shrill, undismayed accent, said, 'they had brought an answer from the godly city of Gloucester to the king,' and were so ready to give insolent and seditious answers to any question, as if their business were chiefly to provoke the king to violate his own safe conduct[a]."

The scandalous breaches of articles of capitulation which had been committed or allowed by the king's commanders, and the horrors perpetrated by the soldiers at Bristol and other towns which had lately yielded to the royal arms, no doubt assisted in animating the people of Gloucester to an obstinate defence, and immediately after the return of their messengers they gave a striking proof of their resolution by setting fire to a large and handsome suburb which would have afforded a convenient shelter to the besiegers. Massey, notwithstanding the smallness of his force, continually harassed the assailants by spirited and well-conducted sallies; in which besides privates several officers of rank were slain within the trenches; and such was his vigilance and the discipline maintained, that according to Clarendon's statement "in all the time that the king lay there ..... there was no one officer ran from the town to him, nor above three common soldiers."

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[a] *Hist. Rebellion*, iv. 178.

The earl of Brentford conducted the operations of the siege, Rupert "wisely declining" that responsibility, and confining himself to his proper province the command of the horse. The king quartered in Sudeley castle eight miles off.

Just at the commencement of this siege, on the single day when Charles was at Oxford, intelligence reached him that the earls of Holland and Bedford had entered his quarters at Wallingford, and that the governor had sent for directions in what manner they should be received. Finding in himself no disposition to receive the returning delinquents with graciousness, Charles referred the business to his council, where it was strenuously debated; some wishing to exclude from all hopes of future favor men who had only returned to the royal party when they found their intrigues detected and their credit with the parliament ruined; whilst others, with what seemed wiser policy, voted for encouraging fresh desertions by extending a cordial welcome to those who had thus set the example. The king at length ended the dispute by giving orders that they should be permitted to come to Oxford, where all men should show them what civilities they pleased; and himself and the queen would do towards them as upon their applications they should see fit. This hesitation, followed by so cold an answer, was a severe mortification to Holland, who ever since the queen's landing had made secret addresses to her through the all-powerful mediation of Jermyn, and who had obtained assurances not of forgiveness

only, but of reinstatement in his still vacant office of groom of the stole as the price of his treachery to the parliament. He had now brought over with him a person of no less consequence than the earl of Bedford; he announced the earl of Clare as on his way; Northumberland had retired to Petworth waiting only for signs of encouragement, and it was not his fault if the earl of Essex had persisted in, or had been won back to his fidelity to his employers. After all these services, were former delinquencies to be remembered against him? He disdained the idea; and hoping still to prevail by his courtly arts over the enduring resentment of the king, accompanied by the earls of Bedford and Clare, he hastened to Gloucester, where they all gave their services as volunteers in the army, and where, says Clarendon, "the king received them without any disrespect, and spoke with them as they gave him occasion." Their situation however proved intolerable to them; Clare, after an expostulation with his sullen master, retired to his country seat; Holland, having waited long enough to see his own office conferred by the king on the earl of Hertford, submitted, as the smallest evil in his choice, to the double ignominy of escaping back to the parliament; Bedford followed his example; Northumberland reconciled himself with the popular leaders, and no more desertions took place to the court of a monarch who knew not that great art of politicians,—to forget.

It was not long after that the king, with a similar

contempt of consequences, caused a commission to be opened at Salisbury, by such of the judges as adhered to his party, under which the earls of Northumberland and Salisbury were indicted of high treason, but with ill-success, for the grand jury refused to find the bills, whilst the judges who had sat upon the commission were impeached by the parliament.

In the meantime the popular leaders were fully sensible both that the salvation or ruin of their cause was staked on the success of the king's present enterprise, and that nothing less than their utmost exertions could enable Essex to relieve Gloucester before the period at which Massey had punctually informed them that he could hold out no longer. By new levies alone it was evident that their enfeebled and dispirited army could not possibly be fitted for the arduous enterprise. "But it pleased God," says the historian of the parliament, "that according to that extremity the resolutions of men were fitted. The city regiments and auxiliaries came cheerfully in to perform the service; and that poor remainder of the lord general's old army was with all speed recruited."

On August the 24th Essex mustered his forces on Hounslow Heath in presence of most of the members of the two houses, and the same evening proceeded to Colnbrook. The court still flattered itself that thirty miles of champaign country already eaten quite bare by the king's troops, which lay in his way, added to the molestations of various bodies

of cavalry which hovered about him, would prove insurmountable obstacles to his arrival on the scene of action. But the lord general, at the head of a compact body of 8000 foot and 4000 horse, pursued his march without any considerable obstacle or molestation. On September the 5th he reached Presbury Hills, drew up his whole army in sight of the closely-invested city, and fired four pieces of heavy ordnance to give notice to the garrison of his presence. Soon after, the king's quarters were perceived to be on fire, and his army, which exhibited tokens of disinclination to encounter that of Essex, was marched away during the night. Two days after, the lord general, with his whole force, entered the city to supply its wants, which were exceedingly urgent, and exchange with the governor, garrison and inhabitants, the praises and congratulations so nobly earned by all. This done he withdrew to Tewkesbury, and thence making a forced march with his vanguard surprised Cirencester, and in it a supply of provisions which proved the preservation of his famishing troops. It was his wish to make good his return to London without a battle; but the superior cavalry of Rupert hung upon his march and detained him with a sharp encounter before he could enter Hungerford; and on the following day, September the 19th, on approaching Newbury he found the royal army, with the king in person, arrived before him, and so posted as to render an action unavoidable.

The battle was disputed with admirable courage

on both sides, and with various success. Rupert's gallant horse broke that of the parliament repeatedly, but their infantry firmly withstood his shock; and the London trained bands, in the words of Clarendon, "stood like a bulwark to defend the rest," astonishing their opponents by a deliberate and disciplined valor which nothing but the most generous self-devotion to a cause could have instilled into men who now looked on actual warfare for the first time. Night ended without entirely deciding the combat, but the results amply evinced that the advantage was all on the side of the parliament, whose troops entered Newbury that night, and in the morning found no enemy either to renew the fight or impede their march, although Rupert still hung upon their rear and gave them some molestation. The king on this double disappointment, withdrew to Oxford and put his army into winter quarters.

In the battle of Newbury there fell on the king's side three noblemen, all persons of considerable, though by no means equal distinction;—the young earl of Sunderland, whom a sense of military honor, as we have seen, detained in the royal army somewhat against his conscience as well as his inclination;—the earl of Carnarvon, whom the exigencies of the times had changed, like many others of similar rank, from a man "wholly delighted with those looser exercises of pleasure, hunting, hawking and the like[a]," into a steady, active and honorable

[a] *Hist. Rebellion.*

soldier, diligent in obedience and active in command; but whom disgust, at not being allowed by the princes Rupert and Maurice to keep the articles of capitulation which he had granted to Dorchester and Weymouth, had impelled to throw up the commission which he had held from the king in the West;—and lord Falkland.

Amid all the artifice of excusatory phraseology in which Clarendon has thought proper to involve the fact, it will be evident to the careful and discerning reader that his noble friend, whom he has held up to posterity as a paragon of wisdom, learning, genius and virtue, and particularly of the nicest conscientiousness, was one of the latest, the coolest, and the most compunctious converts to the royal cause. We have seen him the keen prosecutor of the judges who gave their decision in favor of ship-money,—the formidable assailant of the bishops,—the unhesitating abettor of the condemnation of Strafford,—the keen and able adversary of the Romish faith,—the admirer, the friend, the follower of Hampden. At length, shortly before the attempted seizure of the five members, we find him suddenly wrought upon by Hyde,—whom some may here regard as his friendly monitor, others as his artful seducer,—to become the secret, unofficial adviser of the rash and haughty prince whose whole course of policy he had thus protested against and opposed. We find him soon after accepting under him the highly important and responsible office of secretary of state; putting his name as such, to an

attestation in behalf of the king's pacific intentions which he knew to be false, and subsequently becoming the medium of communication with Waller and his fellow-conspirators, whose dark and perfidious machinations a steadfast virtue could not fail to condemn and abhor. We have however the testimony of Hyde, here worthy of reliance, that he lived in the court as one not of it; that he performed with scruple and reluctance many of the acts which his office imposed, and was so far from pretending any extraordinary affection for the person of the king, or deference for his opinions, that there was scarcely any one towards whom his manners had so little of amenity, or whose opinions he combated at the council-board with so much keenness and pertinacity. It is due to these facts, as well as to the general character of Falkland, to believe that the somewhat obscure motives which, in a time scarcely admitting of neutrality, drew him over to the side of the king, were not the vulgar ones of ambition or self-interest; but it is no less evident that the situation in which he had thus placed himself was one offensive to his feelings, repugnant to his moral, his theological, partly even to his political principles, and fatal to his serenity of mind. There was but one political object which he pursued with heartfelt earnestness.

"When there was any overture or hope of peace," says his friend, "he would be more erect and vigorous, and exceedingly solicitous to press anything which he thought might promote it; and sitting

among his friends, often, after a deep silence and frequent sighs, would with a shrill and sad accent ingeminate the word *Peace*, *Peace*; and would passionately profess, 'that the very agony of the war, and the view of the calamities and desolation the kingdom did and must endure, took his sleep from him and would shortly break his heart.'" According to another writer, he said, on the morning of the fight in which he fell, "that he was weary of the times, and hoped to be out of it before night."

Probably it is to this weight upon his spirit, rather than to any remains of that military ardor of which his early life had afforded some indications, that the eagerness which he evinced to share in scenes of danger utterly alien from the duties of his office, is to be attributed. His friends strove in vain to keep him from the field. It was in charging as a volunteer in the first rank of lord Byron's regiment of horse that he received a musket-shot which brought him instantly to the ground; it was not till the next morning that the body was found. Lord Falkland was cut off at the age of thirty-three.

CHAPTER XXVI.

1643—1644.

Failure of royalist designs in Scotland.—Antrim made prisoner.—The covenanters resolve to aid the English parliament.—Mission of Vane and others to Edinburgh.—Terms of agreement between the Scotch and the parliament.—Solemn league and covenant drawn up.—Designs of the Scotch.—Imposition of the covenant in Scotland and in England.—Ill effects of it.—Conduct of the king respecting Ireland.—He concludes a cessation of arms with the rebels.—Irish regiments brought over to the king's assistance,—its ill effects on his cause.—Intrigues and quarrels at Oxford revived by the queen's presence.—Disorganization of the royal armies.—Good discipline of the parliamentarians.—Montrose and Antrim favorably received at Oxford and made marquises.—Hamilton and Laneric arrested at Oxford.—Laneric escapes.—Hamilton sent to Pendennis castle.—Discussion of their conduct.—Arrival and transactions of a French embassy.—Death of Pym.—The Scotch enter England.—Measures of Charles in consequence.—He convenes the Oxford parliament.—Its measures.—Papers between the king and parliament concerning a treaty.—Proceedings and prorogation of the Oxford parliament.—Opening of the campaign.—Military movements.—The queen quits Oxford.—Is delivered of a daughter at Exeter.—Escapes from Falmouth to France.—Anecdotes of her.—Military transactions.—Action of Copredy Bridge.—The king follows Essex into the West.

IN order to illustrate more completely the policy and the prospects of Charles at this crisis, it now becomes necessary to cast a rapid glance on the si-

tuation of Scotland and Ireland, and the measures respectively adopted by the contending parties in England to secure the cooperation of one or the other of the sister kingdoms.

The designs concerted by Montrose and other Scotch noblemen with the queen at York, had for the present failed. The strength of the country was so evidently with the covenanters, that none were found willing to embark in the hazardous scheme of a rising, especially as the prevailing party still ostensibly enjoyed the sanction of the king, and had testimonies of his favor to exhibit in the titles and pensions so lately conferred. Antrim in the meantime, by his usual rashness, had brought upon himself and his party a signal disaster. Before his visit to York, this chief having fallen into the hands of Monro, the faithful and vigilant commander of the Scotch forces in Ulster, had been sent prisoner to Dublin to await judgement for his share in the rebellion; and it was in the character of a culprit escaped from lawful custody by a stratagem, that he appeared before the queen, who had taken him without scruple into her counsels. Regardless of the dangerous position in which these circumstances had placed him, he now ventured to attempt a landing almost alone, on the coast of Ulster, when he was again seized by his former captor and his papers examined. In these the whole royalist plot for Scotland was disclosed; including the means to be taken for engaging Monro himself by a large bribe to make a descent upon England; from these also the first

hint was obtained of a secret negotiation carrying on by the king and queen for a cessation of arms with the Irish rebels, and the transportation of troops from that island to England in support of the royal cause.

By the alarm, indignation and horror which these discoveries, the last in particular, excited in every bosom, the measures of the Scotch were hastened if not determined. A convention of estates was summoned without delay, and the meeting proved unanimous in drawing up an address to the king on the dangers threatening both church and state, and in resolving upon a closer conjunction with the English parliament. On the other hand, the reluctance of those English leaders who were least inclined to presbyterianism to call in the aid of the Scotch, at the risk of rendering that form of religion preponderant in their own country also, had yielded to the exigencies of their situation, and a committee of which the younger Vane, the leader of the independents, was the head, reached Edinburgh, where it had been long anxiously expected, on August the 9th, after a tedious navigation of twenty days. Their request that a Scotch army should again cross the borders, was acceded to with the alacrity which the recollection of English pay and English quarters could not fail to inspire: but the character to be assumed by the Scottish nation on the occasion,—whether that of an arbitrator and friend to both sides, or of an avowed partisan of the parliament, was strenuously debated in the convention of estates.

The more zealous party, however, succeeded at length in demonstrating the impracticability of maintaining the neutral position. It was further determined, that instead of stopping at the political league, which was all that the English parliament proposed, the Scotch should consult at once their national pride and ambition and the domineering propensity of their church, by insisting upon a religious union likewise; and the form of a bond was produced faithfully copied from their own solemn league and covenant, and bearing the same name, to be imposed upon the whole population of the two countries as far as the authority of the contracting parties should extend. By means of this vow, the Scotch aimed at ultimately establishing their own sect both in England and Ireland, with a total denial of toleration to every other. The design was audacious and assuming in no ordinary degree; in England, so far was presbytery from being, as in Scotland, the national idol, that it was obviously the choice of the few; even amongst the parliamentary leaders themselves, opinions on rites and discipline were much divided. Some continued steadfast to the forms of the church of England and a modified episcopacy; a considerable and increasing proportion, comprising the boldest and the finest spirits of the age, had embraced the free and tolerant system of independency, or the freest and most generous of all, that of Erastus. Scarcely an individual amongst the English laity was prepared to subject himself and his country to the presbyterian discipline in its full

rigor, armed with its inquisitorial power, wielding at will the sword of excommunication, and holding the civil magistrate as the servant and executioner of its decrees.

The Scottish politicians were not uninformed regarding the state of opinion in the southern portion of the island, but they confided partly in the arguments of the doughty polemics whom they had been invited to depute to the assembly of divines at Westminster, partly, as they professed, in the efficacy of the prayers of the faithful, but most of all in the prowess to be exhibited by their future army in the fields of English warfare, to overcome all obstacles to that prevalence of their own party and opinions which they presumptuously styled "the setting of Christ upon his throne." In the meantime however, the firmness of Vane, a negotiator equally vigilant and adroit, compelled them to submit to a modification of an article in the covenant by which, whilst episcopacy was absolutely renounced, and the immutability of the established system of Scotland within that kingdom was secured, it was merely stipulated that the reformation of religion in England should be effected "according to the word of God and the example of the best reformed churches": A captious clause evidently left, as between the presbyterians and the independents, to the interpretation of events!

The covenant, after receiving the sanction both of the convention of estates and the general assembly, strengthened by the denunciation of severe pe-

nalties against the refusers, was sent into every parish of Scotland, to be sworn to by all adults of both sexes, and subscribed by such as could write. Amongst the various motives which caused it to be readily received, Baillie enumerates the "great good and honor" of their nation, "the parliament's advantage at Gloucester and Newbury,"—which apparently rendered them apprehensive that should they make delay the war might be concluded without them,—and most of all, the Irish cessation, which they accounted such a countenancing of the popish party by the king, as to render it necessary for all protestants to join the more strictly for their safety, especially as ambassadors from France had likewise menaced both themselves and the English parliament with the hostility of that crown.

Immediately upon its reception in England, the covenant was imposed by the parliament upon all classes of men under its authority; but in this country the women were apparently excluded, or exempted, from the obligation. It was an imposition of the most grievous nature; and besides the tyranny common to every kind of test, had in it this circumstance of peculiar hardship, that it could be conscientiously taken by no one who adhered to the English church as it was still by law established. A very large proportion of the clergy nobly refused it, at the sacrifice of all their preferments, and were thus reduced to beggary. Many, in taking it, struggled to satisfy their consciences by evasions; the independents freed themselves from the shackle as

soon as their might had become preponderant in the armies.

The succours of the sister kingdom were doubtless much too dearly bought at the price of the adoption of the covenant, and the admission of Scotch commissioners into that committee of both houses by which the greatest affairs of the country were chiefly conducted. From this period all the inveteracy and all the littleness of a war of religion, —of theology rather—began to debase that great and generous struggle of which the recovery of the chartered rights of Englishmen had been the pristine object; whilst by the complication of Scotch designs and interests with the concerns of England, fresh perplexities were occasioned, larger scope was given to intrigues of every kind, the terms of accommodation between the king and the parliament were rendered more than ever difficult of arrangement, and the seeds were sown of jealousies and dissensions within the bosom of the popular party itself, eventually more fatal to the cause of freedom than all the machinations of its enemies.

The inconveniences and the odium incurred by the parliament in its Scottish alliance were however more than countervailed by those to which Charles exposed himself in his negotiations with the insurgent catholics of Ireland. From the commencement of the civil war in England, the contending parties had been reciprocally accusing each other of neglecting to take effectual measures for the suppression of the Irish rebellion, and even of diverting to their own immediate purposes the supplies prepared for

that service. On both sides these reproaches were founded in truth. During the continuance of hostilities at home, it was in fact impracticable for either party to raise sufficient force for the reduction of that island ;. and thus opportunity had been afforded to the chiefs of the revolt, after repressing the excesses of the first outbreak, to establish a provisional government which, under the appellation of the Supreme Council of Kilkenny, had been installed near the close of the year 1642, and had immediately taken upon itself to enter into diplomatic relations with France, Spain, the Emperor, and especially the Pope.

Next to securing their own power at home, there was no cause which the English parliament was more concerned, both in religion and policy to promote, than the restoration of the protestant ascendancy in Ireland, and such efforts as their situation permitted they had accordingly made to this effect. The interest of the king was different; to draw supplies of men from Ireland to aid him in suppressing resistance in England, had been from the first his leading object, and to this every other consideration had been sacrificed. He had persisted in withholding from the earl of Leicester, the lord-deputy originally forced upon him by the popular party, his authority for repairing to that kingdom and taking upon him the duties of his office, and for nearly a twelvemonth had detained him in attendance upon the court at Oxford. Meantime he had contrived to throw into the hands of Ormond, whom he now created a marquis, first the military command, and

afterwards, by the dismissal of the lords-justices, the civil administration likewise, and through this nobleman such negotiations as could be intrusted to a protestant were carried on. The machinations of the queen with Antrim for the purpose of affecting a diversion in Scotland went further, and have been already mentioned. The lords Dillon and Taaffe, men whom lord Falkland had pronounced worthy of hanging, for the assurance which they had given the rebels that the king secretly approved and would at a convenient season avow their enterprise, were notwithstanding admitted into the court at Oxford, and openly favored there, to the disgust of all good men, and made the bearers of secret propositions to and from the council of Kilkenny for an accomodation: and when the parties had thus been drawn to an understanding, Ormond was brought into the scheme, and the object, after some difficulties, accomplished. The Irish agreed to grant a supply to the king of 30,000*l.*, and he in return consented to a cessation of arms for the term of a year. The treaty was signed on September the 15th, 1643. Almost immediately after, Leicester was superseded in form, and Ormond appointed lord-deputy, and in the month of November ten regiments of his army, in the ranks of which were secretly incorporated a large proportion of catholics and even of rebels, were shipped, half of them for Chester and the remainder for Bristol. The scandal of this pacification, which left the Irish in full possession of all the fruits of their rebellion, and especially of

every thing which they claimed for their religion, did the king inestimable injury. Many of the earl of Newcastle's soldiers laid down their arms upon it; sir Edward Deering made the admission of papists and Irish rebels into the army, and the prevalence of popish counsels at court, the plea for his return to the parliament which he had deserted; it supplied the pretext at least for that of the earl of Holland. Neither was any considerable military advantage gained by these auxiliaries. One body, after some temporary success, was cut to pieces by Fairfax near Namptwich, the other melted away at the siege of Gloucester.

Oxford, during the winter of 1643 presents a busy but by no means a noble or an exemplary spectacle. With the return of Henrietta all factions and intrigues had awakened to new life; the old court-distinction of king's side and queen's side seems to have revived, and both were filled with rivalry, division and discontent. It was chiefly by a party opposed to the queen, aided perhaps by her favorites Jermyn and Digby, who might fear to see themselves supplanted, that the consummate courtier Holland had been prevented from resuming his ascendancy, and finally chased back to the parliament; an example of so much mischief to the royal cause!

On the king's return after the battle of Newbury, there appeared, "nothing but dejection of mind, discontent and secret mutiny in the army, anger and jealousy among the officers, every one accusing

another of want of courage and conduct in the actions of the field; and they who were not of the army, blaming them all for their several failings and gross oversights." All men now renewed their exclamations against the advisers of the investment of Gloucester, and concurred in laying the blame on Colepepper, who was "not at all gracious to the soldiers." "The temper of the court," the royalist historian adds, "was no better than that of the army, and the king was so much troubled with both, that he did not enjoy the quiet his condition required." Those who had hitherto forborne to urge their suits for offices and honors, despairing of obtaining them from the less complying temper of the king, now pressed them upon the queen, assuming the merit of refraining in her absence, because they would be solely indebted to her bounty for their success.

The bestowal of honors on one or two whom they had a desire to gratify, was an act of indiscretion in their circumstances which brought upon the royal pair an importunate swarm of suitors for similar distinctions, whom denials would have dangerously incensed, whilst compliance, being regarded as reluctant and compelled, neither excited gratitude nor confirmed attachment. Many had promises to urge, which the royal apologist confesses that both their majesties had been in the habit of making, to free themselves from present importunity, with very distant intentions of fulfilment. An equal inconvenience arose from the circumstance of the king's

having been driven by pecuniary distress to take from several courtiers a price for offices which he would gladly have reserved as the rewards of merit. Owing to this practice men took up the notion "that money and money's worth were all one;" and thus that any one whose services had deserved a sum, equally deserved any thing which the like sum would purchase for another. A more striking picture could scarcely be traced than these details afford us of the embarrassed, tormenting, and humiliating position of a sovereign prince reduced to the level of a party-leader, and placed at the disposal of his nominal dependents!

The disorganizing effects of the disgusts of some commanders and the jealousies or defection of others, were speedily felt in the royal armies, whilst opposite results were observed from the improving discipline and augmenting zeal of their opponents. It is again from the noble historian that we derive the instructive confession that "those under the king's commanders grew insensibly into all the disorder, license and impiety with which they had reproached the rebels; and they again into great discipline, diligence and sobriety; which begat courage and resolution in them, and notable dexterity in achievements and enterprises. Insomuch as one side seemed to fight for monarchy with the weapons of confusion, and the other to destroy the king and government with all the principles and regularity of monarchy[a]."

[a] *Hist. Rebellion*, iv. 299.

Whilst Charles was still engaged before Gloucester, Montrose had joined him, and soon after, Antrim, having again escaped from custody, made his appearance at Oxford. Both the chiefs were received with distinguished favor, advanced to the dignity of marquises, to the scandal of many of the king's most faithful counsellors; and their renewed proposals for carrying over a body of Irish to the west of Scotland to form the nucleus of a royal army there, received by the king and queen with unqualified approbation.

Whilst the means of giving effect to this design were in agitation, Hamilton, who had been some time before dispatched into Scotland, with the new honor of duke and the character of king's commissioner, to endeavour by the resources of his temporizing policy to avert the dreaded coalition between the Scotch and the parliament, was announced to be likewise on his road, to explain and excuse his failure. Once more the practices of Montrose were exerted to ruin in the confidence of the king a rival of whom he was still jealous; the queen conspired in his views, partly from her propensity to extreme counsels, partly, it is probable, from a long-treasured resentment against the man who had made himself master of the guilty secret of her life. Charles yielded either to their joint persuasions or to his own suspicion and resentment; and he had entertained thoughts of commanding the earl of Newcastle to detain the duke and the earl of Laneric his brother at York, when it was announced

that they had both arrived in Oxford, and designed to kiss hands the same night. They were commanded to keep their chambers, and a guard set over them; and the king now proposed to submit to the whole body of his council the charges urged against them by Montrose and other Scotch noblemen their avowed enemies. But the second morning after their arrival, Laneric found means to make his escape for London, where he was well received; upon which the king, resolving to defer the inquiry into their conduct to a more convenient season, without so much as granting the duke a hearing, transmitted him in custody to Pendennis castle in Cornwall, where he remained a state prisoner till liberated two years afterwards on the advance of the parliament's forces against that fortress.

The principal facts against the duke seemed to be, that he had opposed the seizing of the persons of the chief covenanters, and that he had persuaded the king to permit the meeting of the Scotch parliament, though summoned without his authority; where he had also omitted to make a protest against their proceedings;—conduct which he might perhaps have defended on the plea of the inexpediency of exasperating further a party which the royal authority was totally incompetent to quell. Against his brother there was one charge which it seemed more difficult to repel; that of his having, as secretary of state, affixed the royal signet to a proclamation for that assemblage where the army destined for England was to be organized.

The biographer of the dukes of Hamilton affirms however, that the brothers "could have demonstrated, if heard, that they were sure of above two parts in three of the officers of the army; and did not doubt to have engaged the army in the king's cause[a]." But it is difficult to solve entirely to the credit of either the enigma of conduct which had lost them, by turns or at once, the confidence of all parties. On the other hand, the violence of the designs entertained against them at Oxford, is attested by the exclamation said to have been uttered by the queen, "with great commotion," on learning Laneric's escape; "Abercorn has missed a dukedom![b]" That nobleman, a catholic, being the next heir to the honors of the house of Hamilton.

About this time Charles and Henrietta were tantalized by many hollow professions and demonstrations of friendship from the court of France. By the death of Louis XIII. and of Richelieu, the administration of that country had fallen into the hands of cardinal Mazarine, the all-powerful minister of Anne of Austria, the queen-regent. On this change the former ambassador to England, who had given offence to the king by dissuading the catholics from embracing his quarrel, was immediately recalled, and the count de Harcourt, a nobleman of the house of Lorrain, distantly allied to Charles, sent, in compliance with the request of Henrietta, in his place. In the train of the ambassador came, dis-

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[a] Burnet's *Own Times*, i. 63. [b] Id. *Ibid.*

guised, that proscribed and banished Romish intriguer Walter Montague, who, having achieved the favor of a second queen-mother of France, and being, says Clarendon, "very much trusted by both their majesties," was thought likely to be useful in the present negotiations. But the intelligence of the parliament was so good, that within twenty-four hours of his landing he was seized, carried before both houses, and committed to the Tower; the ambassador being unable, and perhaps unwilling, to interfere with effect for his release. The carriages of the ambassador himself were subjected to strict search in London before he was permitted to proceed to Oxford, and a letter to the queen from lord Goring, ambassador extraordinary to France, was intercepted. It announced supplies of arms and money coming from that country to the king; mentioned that the whole of the crown jewels, with the exception of one or two, were now pawned, and stated that the count de Harcourt was "to treat with the parliament as the king should direct him[a]."

No sooner however had the ambassador opened his commission at Oxford than the futility of these demonstrations became manifest. All the king's overtures for a league between the two crowns, of which a loan of money to himself should be a preliminary article, were coldly evaded "with a French compliment." To gain information of the present state of affairs in England was evidently the real

[a] Whitelock, p. 79.

object of his mission, and, as it was much suspected, "rather to foment than extinguish the fire that was kindled[a]." With respect to his mediation between the king and parliament, that attempt was rendered abortive, in a manner of which Charles at least could not consistently complain, by the ambassador's affecting, like the king himself, to regard the assembly at Westminster as no longer a parliament, addressing the speakers of the two houses as private individuals only, and omitting to communicate to them his credentials: Slights which of course caused the return of his letters unopened. After this result, the mockery, a cruel one to a prince in the condition of Charles, was speedily terminated by the ambassador's recall.

One of the last considerable events of this year was the death of Pym, which took place December the 8th. He was buried in Westminster Abbey with the attendance of most of the members of both houses, after his body had been for some days exposed to public view in refutation of the contemptible slander, which Clarendon has thought fit to perpetuate, that he died of the Herodian disease. A short time before his death this eminent leader printed a firm and temperate defence of his public conduct against the calumnies which he had long endured in silence. He there declares himself "a faithful son of the protestant religion, without any relation in his belief to those gross errors of Ana-

[a] *Hist. Rebellion*, iv. 332.

baptism, Brownism and the like;" and as at the same time he defends the giving of his vote and opinion for the "abolishment" of bishops, he might pass for a presbyterian, did not his abstinence from naming any particular form of church government as the object of his attachment, savour more of Erastian liberality.

The charge of taking a bribe from France insinuated against him by Clarendon on the authority of "an obscure person or two[a]," as well as other vague imputations of being swayed to procure favor or impunity to political delinquents for money, are refuted by his dying so poor, that after an investigation of his affairs, the parliament voted 10,000*l.* for the payment of his debts. The removal of Hampden and Pym left Vane the younger, St. John and Cromwell, all independents, the ablest politicians and debaters in the house of commons; but as yet they were much outnumbered, and constantly outvoted by the presbyterians.

The Scotch exerted themselves with such zeal and activity in their preparations for the English war, that an army one and twenty thousand strong was assembled at Berwick, and crossed the Tweed early in January 1644, amid frost and snow. They were commanded by the general of the former war, Lesley, who, on accepting from the king at his last de-

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[a] *Hist. Rebellion*, i. 493. The expression in the text "an obscure person or two," was basely changed by the original editors of Clarendon into "one or two."

parture from Scotland the title of earl of Leven, had indeed promised never more to bear arms against him, but who now seems to have professed to regard himself as discharged from that obligation by the higher one which he owed to religion and the interests of his country. The marquis of Newcastle watched the proceedings of the invaders, garrisoned and strengthened the town of Newcastle against them, opposed them at Sunderland and then retired to Durham, whilst they took up quarters between that city and the sea, waiting for supplies of provisions and the cooperation of the parliament's army.

The king, in this aggravation of his difficulties, held many anxious consultations with his ministers on the means both of providing pecuniary resources and animating the zeal of his adherents against the trying campaign which was impending. Two expedients proposed, as Clarendon informs us, by himself, were sanctioned by his majesty, and with the approbation of his council, adopted. The first was, the dispatch of a letter to the council of state in Scotland, to be signed by all the peers then at Oxford or in the king's service, protesting against the foul rebellion of the English parliament, and conjuring the Scotch to desist from their unjust and unwarrantable purpose of joining with them, "since they could have no excuse for prosecuting the same from the authority of parliament." This protest, a measure of the gravest character, and of at least doubtful expediency, found no opposition from any of those

whose signatures were required, excepting the earl of Leicester, who after some delays and evasions absolutely refused his concurrence, and not long after went over to the parliament. By this refusal, the royalist historian observes that the earl was the occasion of a mischief he did not intend: For it was the desire of the king to make him some compensation for the loss of his Irish government, and "both their majesties" in their secret purpose had destined him to succeed the marquis of Hertford as governor to the prince; which intention being abandoned on this evidence of his uncomplying disposition, that important function was assigned to the earl of Berkshire, "for no other reason but because he had a mind to it, and his importunity was very troublesome: a man of any who bore the name of a gentleman the most unfit for that province, or any other that required any proportion of wisdom or understanding for the discharge of it[a]."

The second expedient, to which the first might be regarded as an introduction, was the issuing of a proclamation requiring the attendance of all members who had quitted the parliament, at Oxford, by a certain day. Upon this Charles demurred for some time. To his prejudices even this kind of packed assemblage appeared fraught with matter of fear and jealousy. His chief apprehension was, that such a conflux of members of parliament, who would expect to enjoy parliamentary privileges in their de-

[a] *Hist. Rebellion*, iv. 350.

bates, might do many things which would rather hinder than advance his service, and especially that they would enter immediately upon some treaty which, although ineffectual, would, whilst in suspense, impede his preparations for war; "and though," adds the royal apologist, "nobody more desired peace, yet he had no mind that a multitude should be consulted upon the conditions of it: imagining that things of the greatest importance, as the giving up persons, and other particulars of honor, would not seem to them of moment enough to continue a war in the kingdom:" A striking evidence of the unyielding spirit of the king, and of his resolution never to terminate the contest on the terms of an equitable compromise! Undoubtedly the parliament could not easily have been brought to comprehend within an amnesty persons impeached by them, or declared rebels by the king himself, before the commencement of the civil war; such as secretary Windebank, who had returned from his exile, and was now readmitted to the council at Oxford, and Antrim and others deeply implicated in the Irish rebellion and massacre, who now gloried in the favor of the king and queen. These scruples of the royal mind gave way however to the representations of the advocates of the measure, who pleaded, first, that those loyal members proscribed by the parliament would not be likely to bring with them ill and troublesome humours to disturb "that service which could only preserve them;" and secondly, that with respect to their advancing any proposals of peace,

there could be no inconvenience, "since their appearing in it would but draw reproach from those at Westminster, who would never give them any answer, or look upon them under any notion, but as private persons and deserters of the parliament, without any qualification to treat or to be treated with: which would more provoke those at Oxford, and by degrees stir up more animosities between them[a]." This was an argument which, had the king been truly desirous of peace, must have decided him against the measure it was designed to recommend.

In obedience to the royal summons, both lords and commoners assembled in considerable numbers on January the 22nd, 1644. The great hall of Christchurch was assigned for their place of meeting, and the king opened the session in person with all the customary solemnities. Prudently omitting for the present the topic of supply, his majesty announced, that he had called for the attendance of those who like himself had been sufferers by the violence of evil men, in order that they might be witnesses to the whole kingdom of his actions, and privy to his intentions. He complained in bitter terms of the malice of those who had compelled him to assume defensive arms, and exposed his loyal subjects to so many calamities both by their own oppressions and even by means of the army which he had been obliged to raise for the

[a] *Hist. Rebellion*, iv. 353.

protection of the well-disposed, but in which, under so many deficiencies and necessities, he had been unable to maintain strict discipline. The evil had now been increased, he said, by their calling upon "*a foreign power*" to invade this kingdom; and he desired the present assembly to protest against this invitation, given, as it had been, in *their* names. He ended by expressing his confidence that no serious difference could arise between himself and them, since they would find there was an inseparable connexion between his rights and honor and their interests[a].

Notwithstanding the king's concluding assurance, it appears, if we may trust the report of an adversary, that this convention of reputed loyalists which the king had here invested with the character of a parliament, partook too much of the feelings of English protestants and patriots to be satisfied with the counsels by which they saw the royal affairs conducted. "Many," says Baillie, "being ready to give in papers for the removing of Digby, Cottington, and others from court, the meeting was adjourned for some days[b]." On January the 26th however, we find them again assembled, and by an unanimous vote declaring the Scottish invaders of England, with all their abettors, whether Scotch or English, traitors and enemies of the state. The next day, they agreed upon a letter addressed to the earl of Essex, expressing their sense of the suf-

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[a] Rushworth, v. 560.

[b] Baillie's *Letters*, i. 429.

ferings of the country, and earnestly requesting him to promote measures for the restoration of peace with "those by whom he was trusted;" the king being willing to *show mercy* to all delinquents. This instrument was signed by 43 peers, including the two boy-princes, Rupert, on whom the king had just conferred the title of duke of Cumberland, and several other newly created lords, and by 118 commoners; the peers being nearly double, the commoners about half of the numbers of both houses assembled at Westminster.

To this communication, inclosed in a letter from the earl of Forth, Essex, as must have been foreseen, returned for answer to his lordship, that the parchment so signed, having neither any address to the two houses of parliament, nor containing any acknowledgement of them, could not be communicated to them by him. He added, that the maintenance of the parliament and its privileges was that for which they were all resolved to spend their blood, as being that on which all their laws and liberties were founded, and he inclosed to his lordship a copy of the covenant and of certain joint declarations of the English parliament and the kingdom of Scotland. A second application from the royalist to the parliamentarian general, for a safe-conduct for two gentlemen "to be sent by his majesty concerning a treaty for peace," was declined, as not being addressed by the king to the two houses of parliament. Upon this, Charles, in his own spirit of chicane, directed an official letter "To the lords and

commons of parliament assembled at Westminster," in which he expressed himself, "by the advice of the lords and commons of parliament assembled at Oxford," desirous of entering into negotiations on terms of security for the protestant religion, with due relief for tender consciences, and for the just rights and privileges both of king and parliament, and the liberties of the people.

The two houses returned his majesty an answer, conceiving, as they said, by the contents, that the letter was designed for themselves; in which they represented to him, That notwithstanding his professions, their hopes of peace, sincerely as they desired it, were now colder than ever, from his having erected the deserters from the parliament into an equality with it: That it was their duty to defend the rights and privileges of a parliament the continuance of which was settled by a law, which, like all the other laws, his majesty likewise was bound by oath to defend: That his hearty concurrence with them would be the most effectual means of promoting a speedy peace, and that if for want of such concurrence these kingdoms should remain in their present sad and bleeding condition, his majesty would not be "the least nor the last sufferer:" an expression which the king highly resented. All these documents were embodied in a Declaration of the Oxford parliament, which his majesty commanded the clergy to read in all churches and chapels throughout the kingdom; and in answer to which another Declaration was issued by the parlia-

ment, "with the advice and concurrence of the commissioners for Scotland." By these pieces a paper-war was rekindled, which, as usual, exasperated the spirits of all parties without contributing to the predominance of any.

The mode of supplying Charles's urgent necessities, next became the object of anxious and perplexing consideration to his Oxford assemblage. To impose a regular tax under the assumption of lawful authority, no doubt appeared to this anomalous body too hazardous a measure; and they ventured no further than to sanction the king's issue of privy seals for a loan of 100,000*l.*, themselves setting the example of a liberal subscription, which was followed to some extent by persons of substance within the royal quarters, and to grant to him the same excise which the parliament had imposed within its jurisdiction.

On March the 12th, finding the parliament resolute not to treat with or own them, they proceeded to vote, that all the lords and commons remaining at Westminster who had given their consent or assistance towards raising forces under the earl of Essex, had levied war against the king and committed high-treason; likewise, that all who had consented to the making of a new great seal, or to the warlike entrance of the Scotch into England had committed treason; and that all the persons so guilty, having broken the trust reposed in them by their country, ought to be proceeded against as traitors. Likewise, that all his majesty's offers of treaty

"by the advice of the lords and commons in parliament assembled at Oxford," had been rejected by "the lords and commons remaining at Westminster[a]." Their closing act, previous to their recess in the middle of April, was to offer to his majesty a petition which he probably found far too much in the genuine spirit of an English parliament. In this piece, after protestations of their own perfect confidence in his intentions, they pray: That for the removal of fears, jealousies, and scandals, he will be pleased to reprint his declarations of attachment to the protestant religion: That when there may be a full and free convention of parliament he will call a synod in which care may be taken for the ease of the tender consciences of his protestant subjects: That he will declare and continue his former resolutions to observe the laws: That he will confute the scandal of his not designing, should he prevail against this rebellion, to use the frequent counsel of parliament: That the present irregular levies of contributions, loans and taxes for the maintenance of his armies may not be drawn into precedent; and that free-quarter and other military exactions may be repressed.

Charles parted on terms of studied civility with the counsellors whom he had summoned, proroguing them to the month of October; but that his real feelings respecting them were those of dislike and dread, we shall hereafter find ample reason to conclude.

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[a] Rushworth, v. 565.

All hopes of negotiation being for the present dismissed, sir Henry Vane announced it to be the intention of the committee of state to conquer a peace by one great military effort; and strenuous exertions were made to recruit and supply the five armies which the parliament had at this time on foot: They were that of Essex, destined to act against the king in person; that of Waller, intended for the West; and those of the earl of Manchester, of Fairfax, and of the Scotch; by the two last the earl of Newcastle was now shut up in York, whilst Manchester was marching from the associated eastern counties upon the same point.

The king designing, it is probable, to act against Waller, set up his standard this spring at Marlborough, but, according to Whitelock, "seeing few come to it," he proclaimed on the spot that the two houses were preparing propositions of peace, and dismissing with this excuse all who were present, caused it to be taken down again. He then returned to Newbury, where he remained about a month inactive.

On March the 28th a considerable force which the king had detached under sir Ralph, now lord Hopton, to secure Hampshire and Sussex and countenance the royalists in Kent, sustained a total defeat by the army of Waller near Alresford; a disaster which of itself was of sufficient moment to compel Charles to abandon all thoughts of an offensive campaign, and even to render the defensive part to which he found himself reduced one of no small

hazard and difficulty. To increase his distress, he now received a notification from the marquis of Newcastle, that three weeks would be the longest time it would be practicable for him to hold out in York without succours; and this information compelled him to order Rupert, who was in Lancashire, to march to the relief of the marquis instead of returning to cooperate with himself. Under these circumstances, which infected his whole army with an alarming despondency, to retire upon Oxford, destroying in his way the fortifications of Reading for the purpose of adding the garrison to his feeble numbers, was the sole resource of Charles.

Encouraged by this situation of affairs, the parliament, countermanding Waller's intended march, reinforced both his army and that of Essex with strong detachments from the London trained bands, and directed the leaders separately to approach Oxford, which they were to besiege in concert should the king shut himself up in the city; but in case of his quitting it, Essex was to pursue him, whilst Waller proceeded on his original destination. Charles had posted nearly the whole of his foot at Abingdon, hoping that, so strengthened, this place might at least delay for a short time the parliamentarians in their advance. On the approach of Essex, however, Wilmot, either, says Clarendon, from negligence or ill-humour, hastily withdrew the royal troops; and the king, justly averse to risking his liberty on the chances of a siege, secretly retired from Oxford on the night of June the 2nd, taking

with him the prince of Wales, but purposely leaving behind the young duke of York. With his cavalry, and a small body of infantry which he had ordered to await him at a short distance, he passed undiscovered between the hostile armies, and by a hasty march reached Worcester before the commanders suspected his escape.

The parliament had anticipated a different issue to the dilemma in which they had entangled him, and agitated by some doubts of the steadiness of their own general under trying circumstances, the committee of both kingdoms addressed to Essex a brief letter to the following effect: That being credibly informed that his majesty intended to come to London, they desired he would endeavour to inform himself of the truth of this matter; and that should he think that his majesty designed to come to the armies, he would acquaint them with it, and do nothing in the business until the houses should give direction[a].

The king had left his loyal city of Oxford well defended and provisioned, and the parliamentarian generals, being restricted by their orders from spending time before it, passed on in their pursuit without attempting its capture. It therefore continued to be the asylum of that portion of the court which was unfit to accompany the king in his marches; but the dearest object of his cares and affections had already been impelled by her infirmity both of body

[a] *Hist. Rebellion*, iv. 481.

and mind to seek a calmer and more distant place of refuge.

The queen, taking what proved to be a last farewell of her husband, had retired in the month of April to Exeter, where on June the 16th she gave birth to a daughter, afterwards the unfortunate duchess of Orleans. Warwick justly remarks, that Henrietta was "ever more forward than stout;" even of her most violent counsels cowardice may be detected to have been the true principle, and on quitting Oxford she avowed as her motive in selecting the place of her retreat, the facility of embarking from the Western coast for France, should circumstances become pressing. "Though," says Clarendon, "there seemed reasons enough to dissuade her from that inclination, and his majesty heartily wished that she could be diverted, yet the perplexity of her mind was so great, and her fears so vehement, both improved by her indisposition of health, that all civility and reason obliged everybody to submit."

In the West her majesty seemed likely to incur greater perils than any from which she had made her escape. Ten days after her delivery, Essex, who had marched into that quarter for the purpose of opposing prince Maurice and recovering some garrisons to the parliament, reached Chard, twenty-two miles only from Exeter, and quartered there with his army. The queen on this sent him a message desiring a safe-conduct to travel to Bath for the recovery of her health, and afterwards, by another messenger, for Bristol; to which he returned

an answer to the following effect: "That if her majesty pleased, he would not only give her a safe-conduct, but wait upon her himself to London, where she might have the best advice and means for the recovery of her health; but as for either of the other places, he could not obey her majesty's desires without directions from the parliament[a]."

As the queen stood impeached of treason by the two houses, this proposal of attending her to London has been blamed, and perhaps justly, as carrying with it somewhat the air of an insult. Judging her person no longer secure at Exeter, Henrietta quitted the place as soon as she was in any condition to travel, and reaching Falmouth, embarked, on July the 14th, on board a Flemish man-of-war sent to her aid by the prince of Orange attended by ten smaller vessels. The earl of Warwick had stationed a squadron at Torbay, purposely to prevent or intercept her passage, which made all sail in pursuit of her, one frigate approaching near enough to discharge several shots at her fleet. But the Dutch ships proved superior in speed; there was likewise a light galley in attendance to have received her majesty in case of the worst; and she landed at Brest without further molestation[b].

Madame de Motteville supplies some lively and curious details of this eventful period of the life of Henrietta, from her own information. Such it appears was the destitution of this daughter, sister,

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[a] Rushworth, v. 684. [b] Id. *ibid.*

wife, and mother of kings on her arrival at Exeter, that the queen regent of France was obliged to send her over both money and every other accommodation and aid requisite for her situation: The money she generously sent on for the supply of her husband's necessities. It is stated that the queen, finding herself constantly menaced by her enemies, resolved to seek further aid in France: That on finding herself pursued by the parliament's cruisers, she sent for the master, and ordered him to blow up the ship rather than suffer it to be taken; but that her attendants raised an outcry, and quickly diverted her from so *unchristian* a resolution. She landed near a poor village in Bretagne, and lodged the first night under thatch; but the neighbouring gentry soon flocked around her, and crowds hastened to welcome the daughter of Henry IV. in her distress. She was very ill and much altered, and her heart was so pierced with sorrow that she wept almost incessantly, notwithstanding the natural gaiety of her disposition. She told Madame de Motteville, that whilst she was in this state, she once said to Mayerne that she felt her reason failing her, and feared she should go mad. "No fear of that, madam," he bluntly replied, "you are mad already." In her native France, and in the waters of Bourbon, she found a remedy for her bodily maladies, but much time was necessary to assuage the sufferings of her mind.

After passing three or four months at Bourbon, Henrietta repaired to Paris. The queen regent with

the young king went forth from the city to meet her; the two queens embraced with great tenderness and affection, and paid each other "a thousand compliments which were no compliments." The Louvre was assigned to her for a town residence and St. Germains for a country one, with a pension of ten or twelve thousand crowns a month. So much was Henrietta altered by sickness and misfortune, that few traces were now left of her beauty. She had however fine eyes, an admirable complexion, and a well-shaped nose; and there was something in her countenance so pleasing that it made everybody love her; but she was short and meagre, her figure was somewhat awry, and her mouth, which was never pretty, looked large from the thinness of her face. Her portraits taken when young, represent her as very lovely, but she withered before her noon, and she was accustomed to maintain that no woman was handsome after two and twenty.

Whilst Henrietta was endeavouring at Paris to promote the royal cause by a variety of negotiations and intrigues, her husband was passing through many vicissitudes.

On discovery of the king's escape from Oxford, both the parliamentary armies engaged at first in the pursuit; and Waller's horse, which was foremost in the chase, had advanced to Evesham by the time that Charles had reached Broadway. Essex was two days' march behind the king, on finding which he determined to follow him no longer, but leaving that task to Waller, whose artillery and

carriages were lighter than his own, to turn his course westward for the relief of Lyme, besieged by prince Maurice, and of Plymouth. Waller remonstrated against the decision, and the committee of both kingdoms wrote to Essex in high displeasure on this disobedience of their orders, suspecting apparently that he was unwilling to make the king a prisoner; but the lord-general, supported on military grounds by a council of officers, put the committee to silence, pursued his own design, and laid his commands upon Waller to assume the task assigned him. This officer, with whatever reluctance he might undertake the service, prepared to execute it with alacrity and vigor. Taking possession of Sudeley Castle on his way with little opposition, and enlisting great part of the garrison in his ranks, he pushed on for Evesham, where he was two days collecting his forces for an attack upon Worcester. But the king, resolving not to be subjected to a siege in that city, had in the mean time led on his small army to Bewdley, thus placing the Severn between himself and his enemies. Waller, on this, conceiving Shrewsbury to be his object, made a movement to cut him off from this town. But no sooner was Worcester thus left free, than the king, by the advice of his council of war, hastened back thither, marched through to Evesham, where he broke down the bridge over the Avon, and took the direct road to Oxford. Arriving there safely after an absence of no more than seventeen days, he once more put himself at the head of his entire army, which he

now regarded as fully able to encounter Waller. Whilst this commander, who had been effectually deceived, was wandering about in Worcestershire, and afterwards recruiting his forces from Coventry and Warwick, Charles actively employed himself in raising contributions in Buckinghamshire, and thus strengthened he, in his turn, marched in quest of his opponent, whom he overtook a little to the north of Banbury. Here, at Copredy bridge on the Charwell, a partial action ensued, on July the 9th, in which the king proved himself the stronger; for Waller, after the engagement, marched away into Northamptonshire, and being quitted by the London regiments, gave up all further thoughts of encountering the royal army. It is worth mentioning, as a proof of the haughty bearing which Charles still thought it fitting to assume towards those whom he styled rebels, that immediately before this combat he designed to offer as a favor to the troops of the parliament a general pardon on condition of laying down their arms; but on his desiring a safe-conduct for a gentleman who should be the bearer of a gracious message, Waller replied, that anything of that nature must be addressed not to himself, who had no authority to receive it, but to the two houses of parliament.

Having thus extricated himself, beyond all reasonable expectation, from the immediate peril with which the cooperation of the two opposing armies had menaced him, the king resolved to follow Essex into the West, and he ordered Hopton, with all the

force he should be able to levy in Wales, to meet him at Bristol; a circumstance which seems to show the purpose of the queen's demand of a passport for that city. In fact it is not improbable that the hope of meeting with her once more, and prevailing upon her again to trust herself to his protection, may have been the original inducement with her devoted consort for bending his course in this direction; but Henrietta, to whom fear gave wings, had embarked ten days before he was able to reach Bath.

During these transactions of the king in person, events were taking place in other quarters of so much moment to the result of the great contest as to demand here a distinct though brief recital.

CHAPTER XXVII.

1644.

State of affairs in the North.—Letter of the king to Rupert.—Battle of Marston-moor.—Character of the marquis of Newcastle.—Rise and character of Cromwell.—Surrender of York.—The king marches westward.—Essex refuses to negotiate a peace.—Arraignment of lord Wilmot.—Surrender of Essex's army.—The king's military movements.—Second battle of Newbury.—He brings off his cannon from Donnington and goes into winter quarters at Oxford.—Parliaments ends commissioners to the king.—Irregular transaction of Hollis and Whitelock.—Mission of the duke of Richmond and lord Southampton.—Treaty of Uxbridge opened.—Letters of the king to the queen.—Letter of the queen.—Views of the different parties in the treaty.—Conduct of Charles.—Political effects of the failure of the treaty.—Trial and death of Laud.—Reflections.—Dissolution of the Oxford parliament.—Expedition of Montrose.—Negotiations of Charles with the Irish.—His commissions to the earl of Glamorgan.

THE king, as we have already seen, had found it necessary to direct Rupert to march northwards for the purpose of relieving York; it was from Tickenhall near Bewdley, on June the 14th, that he wrote to him for this purpose, and the urgent terms of the letter will afford a lively idea of the distresses of his own situation at this crisis, and the apprehensions by which he was agitated. After a thankful acknowledgement of the previous services of the prince, it thus proceeds:

"But now I must give the true state of my affairs, which, if their condition be such as enforces me to give you more peremptory commands than I would willingly do, you must not take it ill. If York be lost, I shall esteem my crown little less, unless supported by your sudden march to me, and a miraculous conquest in the South, before the effects of the northern power can be found here: but if York be relieved, and you beat the rebels' armies of both kingdoms which are before it, then, but otherwise not, I may possibly make a shift, upon the defensive, to spin out time until you come to assist me: Wherefore I command and conjure you, by the duty and affection which I know you bear me, that, all new enterprises laid aside, you immediately march, according to your first intention, with all your force to the relief of York: but if that be either lost, or have freed themselves from the besiegers, or that for want of powder you cannot undertake that work, that you immediately march with your whole strength to Worcester, to assist me and my army, without which, or your having relieved York by beating the Scots, all the successes you can afterwards have, most infallibly will be useless to me. You may believe that nothing but an extreme necessity could make me write thus unto you, wherefore, in this case, I can no ways doubt of your punctual compliance with

"Your loving uncle and most faithful friend[a]."

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[a] *Memoirs of Evelyn*, vol. ii. Append. p. 88.

On receipt of this urgent summons, Rupert marched in all diligence from Lancashire. The English and Scotch commanders on the news of his approach quitted the siege of York and drew up their forces on Marston-moor, some miles to the east of it, hoping to intercept him; Rupert, however, skilfully evading them, entered and relieved the city. It was hoped by the marquis of Newcastle, and feared by the opposite commanders, that contented with this important success, the prince would avoid a hazardous battle with the somewhat superior numbers of the united English and Scotch armies, or defer it at least till the expected arrival of a considerable reinforcement of which the marquis was in expectation; but the prince, assuming with arrogance the sole command, gave orders for an attack upon the combined armies on the morning of July the 3rd. This memorable field exhibited a remarkable vicissitude of fortune. At one period the three parliamentary generals were apparently all driven from the field; many of the Scotch abandoning their posts with signal marks of cowardice; and Rupert had actually dispatched to his royal uncle an announcement of a glorious victory; but whilst a part of his troops were following the fugitives too eagerly, the tide of success was so completely turned against the remainder, by the exertions partly of Fairfax, but chiefly of Cromwell, who acted as lieutenant-general under the earl of Manchester, and brought up a reserve of cavalry, that the final result was a complete and disastrous defeat to the royalists.

Rupert lost all his artillery; his troops were chased with great slaughter within a mile of York, and many officers of distinction together with 3000 privates remained prisoners. The cabinet and papers of the marquis of Newcastle also fell into the hands of the victors. The dissension subsisting between the two royalist commanders precluded all consultation between them on the means of mitigating this great disaster: on the morning after the battle, Rupert merely dispatched a message to the marquis announcing that he was resolved immediately to march away with his horse, and what foot was left him, and took the way towards Chester. Newcastle, on his part, stung with an intolerable sense of wrong and indignity, and despairing of doing further service to the royal cause, informed the prince of his purpose immediately to quit the kingdom; and being conducted by a guard of horse and dragoons to Scarborough, he there took shipping for Hamburgh attended by his two sons, his brother, and about eighty lords and gentlemen.

In taking our leave of this gallant and accomplished nobleman, Clarendon's observations on his too prompt retreat from the duties of the very arduous station in which he had been forward to place himself, may aptly be cited, with the remark, however, that his causes of offence from Rupert are passed over in silence. "All that can be said for the marquis is, that he was so utterly tired with a condition and employment so contrary to his humour, nature and education, that he did not at all

consider the means or the way that would let him out of it, and free him for ever from having more to do with it. And it was a greater wonder that he sustained the vexation and fatigue of it so long, than that he broke from it with so little circumspection. He was a very fine gentleman, active and full of courage, and most accomplished in those qualities of horsemanship, dancing and fencing, which accompany a good breeding; in which his delight was. Besides that he was amorous in poetry and music, to which he indulged the greater part of his time, and nothing could have tempted him out of these paths of pleasure ..... but honor, and ambition to serve the king when he saw him in distress and abandoned by most of those who were in the highest degree obliged to him."

It is remarkable that the duchess of Newcastle, in an instructive passage of her Life of her husband, assigns less disinterested motives to his public conduct than the loyalty of sentiment lent him by the historian: "He never," she says, "connived or conspired with the enemy, neither directly nor indirectly; for though some person of quality being sent in the late wars to him into the North from his late majesty, who was then at Oxford, with some message, did withal in private acquaint him, that some of the nobility that were with the king desired him to side with them against his majesty, alleging that if his majesty should become an absolute conqueror, both himself and the rest of the nobility would lose all their rights and privileges, yet

he was so far from consenting to it, that he returned him this answer, namely, that he entered into actions of war for no other end but for the service of his king and master, and to keep up his majesty's rights and prerogatives, for which he was resolved to venture both his life, posterity, and estate; for certainly, said he, the nobility cannot fall if the king be victorious, nor can they keep up their dignities if the king be overcome[a]."

Sir Philip Warwick, as we have seen, imputes to this nobleman a design of becoming himself the arbiter of the civil war, yet he thus speaks of him at the outset of his military career. "He was a gentleman of grandeur, generosity, loyalty, and steady and forward courage; but his edge had too much of the razor in it; for he had a tincture of a romantic spirit, and had the misfortune to have somewhat of the poet in him, so as he chose sir William Davenant, an eminent good poet and loyal gentleman, to be lieutenant-general of his ordnance. This inclination of his own, and such kind of witty society (to be modest in the expressions of it,) diverted many counsels and lost many opportunities which the nature of that affair this great man had now entered into required[b]."

It was not, indeed, by men of pleasure and of gay accomplishments, indulgent by habit to themselves, and little fitted or disposed to enforce strict disci-

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[a] *Life of the Duke of Newcastle*, p. 123.

[b] Warwick's *Memoirs*, p. 236.

pline on others, brilliant as might be their courage in the day of battle, that the cause of Charles could be successfully maintained against the stern and rugged champions now brought into the field under the influence of political principles fast tending towards republicanism, and of theological zeal exalted into fanaticism. Of such a revolutionary kind of force the newly raised army of the earl of Manchester consisted for the greater part; Cromwell was already their hero; by their valor it was that he had been enabled, as we have seen, to convert the threatened defeat of Marston-moor into a victory almost decisive of the whole contest; and the occasion invites us to inquire into the notions previously entertained of this memorable person by those from whom Charles himself might be likely to receive his first impressions regarding him.

We have already noted Cromwell as a frequent and earnest speaker in the house of commons on the questions of most importance to the civil and religious liberties of the people, and cited his declaration that had the grand remonstrance not been carried, he would immediately have embarked for New England.—On this subject it may be remarked, by the way, that although the somewhat embarrassed state of Cromwell's affairs, as well as his hostility to the prevailing maxims in church and state, must probably have rendered emigration to New England a frequent subject of his consideration before the meeting of the long parliament, yet the popular tale of his having been actually arrested in the river after

embarkation by an order of council, is exposed to the same insuperable objections which have been already urged against it in the case of Hampden.

To the lively yet candid pen of Warwick we are indebted for a description of the future Protector, which sets him thus living before our eyes. "The first time that I took notice of him, was in the very beginning of the parliament held in November 1640, when I vainly thought myself a courtly young gentleman: (for we courtiers valued ourselves much upon our good clothes.) I came one morning into the house well clad, and perceived a gentleman speaking, whom I knew not, very ordinarily apparelled; for it was a plain cloth suit, which seemed to have been made by an ill country taylor; his linen was plain, and not very clean; and I remember a speck or two of blood upon his little band, which was not much larger than his collar; his hat was without a hat band: his stature was of a good size, his sword stuck close to his side, his countenance swollen and reddish, his voice sharp and untunable, and his eloquence full of fervor, for the subject matter would not bear much of reason; it being in behalf of a servant of Mr. Prynn's, who had dispersed libels against the queen for her dancing and such like innocent and courtly sports; and he aggravated the imprisonment of this man by the council table unto that height, that one would have believed the very government itself had been in great danger by it. I sincerely profess it lessened much my reverence unto that great council, for he was very much

hearkened unto. And yet I lived to see this very gentleman, whom out of no ill will to him I thus describe, by multiplied good successes, and by real but usurped power; having had a better taylor and more converse among good company, in my own eye, when for six weeks together I was his prisoner in his serjeant's hands, and daily waited at Whitehall, appear of a great and majestic deportment and comely presence[a]."

That previously to the commencement of hostilities, Cromwell was regarded by the king with any peculiar jealousy, we have no reason to believe; he was not one of those parliamentary leaders especially marked out as objects of his royal vengeance; and it is probable that the penetrating eye of Hampden may have been the first to detect the genius for command lying hid beneath the rude and unpromising exterior of his kinsman. "Should this contest," he is recorded to have said, "end in a war, yonder sloven will be the first man in England." So competent a judge would probably discern the beginning accomplishment of his own prediction in the suggestion of Cromwell to himself, that in order to be able to cope with the gentlemen of blood and honor who composed the troopers of the king's army, it would be necessary for themselves to enlist, not base and mean fellows, such as "decayed serving men and tapsters," but "men of a spirit likely to go as far as gentlemen would go,—men who had the

[a] Warwick's *Memoirs*, p. 247.

fear of God before them, and made some conscience of what they did." Of such persons, substantial freeholders or their sons, natives of his own county, and known to him and to each other, he composed the full regiment of cavalry which he levied and trained; he subjected them to strict discipline, inspired them with the true spirit and pride of soldiers, and rendered them in a manner invincible. At the head of this corps, which became celebrated by the name of Cromwell's Ironsides, he had achieved in rapid succession a variety of gallant and well directed enterprises, which had raised his name into celebrity, and given him power to surmount the lowest, often the steepest, step of the ladder of ambition, by obtaining for him the second, which he proposed to render in effect the first, command in the army of the easy-tempered and generous earl of Manchester. Cromwell, it should be noted, was the first to disembarrass his recruits of the awkward profession under which the parliament's troops had hitherto enlisted, of fighting by the king's authority against his person; and to declare to them, that should he meet his majesty in battle, he would as soon fire his pistol at him as at any other man.

By the twofold dereliction of the marquis of Newcastle and of Rupert, York was now consigned to the sole protection of sir Thomas Glemham the governor, who bravely held it out for twelve days, and then, aware that no relief could be afforded him, surrendered it upon honorable terms; and thus every

thing north of Trent, with the exception of a few garrisons, was finally lost to the royal cause.

Charles had advanced some days march towards the West, when news of the disaster at Marston-moor reached him; an event which confirmed him in his resolution to pursue his course in that direction, because it left him no alternative. From Bath he issued a summons to the inhabitants of Somersetshire to meet him at Kingsmoor, where on July the 21st he delivered to them an address calculated to stimulate their loyal efforts. Being reinforced by lord Hopton he proceeded onwards to Exeter, where he made a short stay; and here his new-born daughter being presented to him by her governess the lady Dalkeith, with whom the queen had left her, he caused this lady to convey the infant to Oxford; thus voluntarily offering another hostage to fortune.

Essex in the mean time, receiving the submissions of the royal garrisons as he passed, and compelling prince Maurice to raise his tedious and unavailing siege of Lyme, defended by the hero Blake, had advanced as far as Tiverton, where he called a council of war to decide on his further proceedings. His own judgement was in favour of now marching back towards the king, and endeavouring to force him to an engagement; but moved by the representations of lord Roberts his field-marshal, and other persons of weight in Cornwall, he finally consented to proceed into that county, which, after a sharp combat with sir Richard Grenville, who was posted to defend the passes, he entered on July the 26th. The king,

having been joined by prince Maurice, after a general muster of his forces near Exeter, resolved to advance upon the earl, who, apprehensive of a design of cooping him up and distressing him for provisions, wrote earnestly to the parliament to relieve him by sending a strong force to take the king in the rear; but Waller was offended with his commander, the leaders of the commons were jealous of him, and nothing effectual was done.

At this juncture the king,—hoping perhaps to shake the fidelity of the general to the parliament, and willing to satisfy by some concessions the cry for peace which had become loud amongst all those of his officers and counsellors who loved their country and had a real stake in it,—addressed to Essex with his own hand a letter of courteous phrase and conciliatory import, warmly urging him to enter into treaty with himself for the restoration of peace to an afflicted kingdom; two others to the same effect were likewise sent to him, one from prince Maurice and the earl of Brentford, the other from lord Hopton and the rest of the principal commanders of the royal army. But Essex, avoiding all direct communication with his majesty, briefly replied to the earl of Brentford, that he had no commission to be concerned in any such treaty, nor could he betray the trust reposed in him by the parliament; an answer which gained him the thanks of both houses.

Some days after this, whilst the royal army was posted on the top of a hill with that of the parlia-

ment in the valley below, and an action was daily expected, lord Wilmot, the king's general of the horse, was arraigned of high-treason in the open field, plucked from his horse at the very head of his troops, and carried off prisoner to Exeter. He was generally beloved in the army; not the less so for being known to oppose the violent counsels and suffer under the ill offices of lords Digby and Colepepper; and a mutiny had nearly been the consequence of this display of authority. A petition, of dangerous precedent, was quickly drawn up and presented to the king from his "old officers of the horse," claiming it as a right due to themselves and the service to know the offence of their commander, of whose loyalty they expressed their persuasion; and to this address Charles found it necessary to return a gentle answer accompanying the articles of his charge. By these it was imputed to lord Wilmot, that for three months past he had endeavoured to stir up disaffection in the officers of the army against the person of his majesty; persuading them, that rather than suffer the king to put all power into the hands of his nephew, as he saw he would do, they should compel him to submit to the parliament; intimating that the king was afraid of peace; that he was a man who would never go through with this business; and that the only way left was to set up the prince, who had had no share in the cause of these troubles, and who, by declaring against his father's advisers, would attach all honest men and put an end to every difficulty. He was

further accused of holding secret intelligence with the earl of Essex, and of inviting him to a concurrence in this design, which was pointed out as the probable cause of "that insolent return" made by the earl to his majesty's gracious letter inviting him to a treaty[a].

To these somewhat vague and captious charges, Wilmot published a manly and at least plausible answer, in which, avowing his earnest desire of peace, but denying the disloyal words and dealings imputed to him by the malice of those men who sought to perpetuate a state of war, he demanded a suspension of judgement on the part of the public till he should be brought to the speedy trial which had been announced to him. After this, however, he asked and obtained liberty to transport himself to France; Goring was invested with his military command, and the matter was no further proceeded in. It stands as an example of that contrast of rash resolves and feeble performances so characteristic of the unhappy policy of Charles, and so adapted to shake the confidence and alienate the affections of the steadiest supporters of the regal power. Lord Percy, the friend of Wilmot, was deprived of his command at the same time.

A more auspicious star seemed at his moment to preside over the military movements of the king than that which ruled the decisions of his cabinet. Essex, as he had apprehended, was gradually penned

[a] See Rushworth, v. 693, *et seq.*

up in an angle of Cornwall, and his supplies so effectually cut off that it was not possible for him longer to await the tardy succours of the parliament. In this extremity he put his horse under the command of sir William Balfour, with orders to make his escape through the king's quarters, which this able officer effected on the night of August the 30th with trifling loss. Two days after, he himself, attended only by lord Roberts and another, embarked at the port of Fowey in a boat which conveyed him to Plymouth, leaving major-general Skippon with the whole of his foot and artillery to make the best capitulation in his power. By the articles which were subsequently agreed upon, all the cannon, ammunition and weapons of the army, excepting the swords and pistols of officers, were to be given up to his majesty, and the men, thus disarmed, conducted in safety to the parliament's garrisons of Poole or Wareham, and thence to Portsmouth or Southampton. This surrender, mortifying as it was to the parliament and disgraceful to its general, could only be regarded however as a very inadequate counterbalance to the defeat of Marston-moor; since it subjected to the power of the king no tract of country of which he was not previously in possession, and leaving the numbers of their men undiminished, only imposed upon the parliament the burden of rearming them and supplying fresh ammunition and artillery. For the present, however, this success naturally elevated to a high degree the spirits of the king, and he again invited the parlia-

ment to accept his terms of peace. No answer however being returned, he left Plymouth blockaded, and proceeding to Chard, in a tone of confidence called upon all his faithful subjects to rise in his favor, to seize upon traitors, to attend him to London, and there to compel the two houses to an accommodation; and he commenced without delay his march in the direction of the capital. But difficulties which he had not calculated pressed close around him. His army, instead of being swelled by volunteers, dwindled daily by sickness and desertion; the remaining troops were alienated in affection by the late removals of officers, and mutinous for want of pay and clothing; the indispensable supplies could only be raised upon the suffering country by force and the actual presence of the army; and from all these causes of delay, it was not till September the 30th that he arrived at Salisbury. By this time he saw reason to abandon the bold design of a march to London, and bent his course towards his old quarters at Oxford. A great force had already been assembled to confront him, composed of the earl of Manchester's army, Waller's, and that of Essex, newly armed and recruited; and it was by this united host, very superior to his own in numbers, that the king found himself attacked in his intrenchments near Newbury on October the 27th. The struggle was severe, and sustained with great valor by the royal troops; their intrenchments had however been forced at one point before darkness came to end the contest, and during the night the king

thought proper to retire to Wallingford, leaving his cannon by the way at Dennington Castle, to which he had just been laying successful siege. Great dissension prevailed at this crisis in the opposite army. Essex had withdrawn himself on the plea of indisposition; there was therefore no general in chief; Manchester and Waller each took the command of a division, but were far from acting in concert or harmony; the independent or fanatical soldiery acted with reluctance under the orders of presbyterian officers, and there was no such urgency in the state of their affairs as to induce any of these exasperated sects or factions to sacrifice their jealousies to the common cause. To this untoward disposition on the part of his adversaries the king apparently owed his escape from present ruin. His retreat, though made by the light of a full moon, met with no interruption, nor did the combined armies show any design of pursuing their advantage further. Encouraged by these circumstances, and reinforced by Rupert with a considerable body of horse, and by a part of the garrison of Oxford, the king soon after returned upon his steps for the purpose of withdrawing his cannon from Dennington, and completely succeeded in this object, the parliamentarians not choosing to accept the fair offer of battle which he made them. Having thus been enabled to finish the campaign with a high degree of credit to himself, Charles put his army into winter quarters and retired to Oxford.

The vacation from arms was filled up as before

by negotiation. On November the 20th, the day after his arrival at Oxford, commissioners from the parliament, for whom the king had already signed a safe-conduct, though only in the capacity of private persons, arrived in that city. They consisted of two peers, the lords Denbigh and Maynard, four members of the house of commons, Hollis and Whitelock being of the number, and three of the Scotch commissioners. As on a former occasion, these delegates were rudely treated, reviled and even pelted as they passed through the streets; they were conducted to an inn "little above the degree of an alehouse," and not at first sufficiently protected even there from the military insolence of some of the king's officers. They were no sooner settled however in their quarters, than visits were paid them by many peers and great functionaries, and such of their personal friends as were there in attendance: amongst the number, Whitelock informs us that sir Edward Hyde, chancellor of the exchequer, came to visit himself, and in general discourse concerning the propositions for peace expressed his earnest desire that they might take effect. The next day they had access to the king, who treated them with civility and gave them all his hand to kiss, but "seemed to show more disdain to the Scotch commissioners" than to any of the rest. He listened with patience to the reading of the propositions, by the earl of Denbigh, and promised that he would consider of an answer.

The same evening Hollis and Whitelock, with the

knowledge of the rest, went to visit the earl of Lindsey, then confined by his wounds, who had first greeted them by a civil message; where a very singular transaction took place. Scarcely had they paid their compliments, when the king, Rupert and several great lords made their appearance; and his majesty, after very civil salutations, entered into discourse with them. He began by expressing his sorrow that they had brought him no better propositions, and his wonder at some of them; and inquired whether themselves could possibly regard them as reasonable, or honorable for him to grant. The commissioners made no scruple to confess that there were some articles which they could have wished otherwise, but observed that these had been concluded upon by the majority, and that they were only the bearers. If his majesty would go and treat in London, they were confident all might be arranged. This he declined; but expressing high regard for them both personally, as knowing that they and their party had always been, like himself, friends of peace, he proceeded to request their opinion what answer it would be fit for him to make. After faintly pleading that their present employment must disable them from being his majesty's advisers, the commissioners were actually prevailed upon to comply; and retiring together to an inner apartment, wrote down notes for the royal answer. The king then entering took the paper into his own hands, and after further civilities with the company, they retired. This intrigue being soon after betrayed by lord Saville on

his deserting back to the parliament, exposed both gentlemen to severe and certainly not unmerited attacks in the house of commons.

Soon after, the king's answer was sent to the body of commissioners sealed up. They, on consultation, refused to receive it thus, and desired that they might be informed of its purport and receive a copy. His majesty, according to Whitelock, replied; "'What is that to you, who are but to carry what I send, and if I will send the song of Robin Hood and Little John you must carry it?' To which the commissioners only said, that the business about which they came and were to return with his majesty's answer, was of more consequence than that song. And other passages there were which showed the king to be then in no good humor, and were wondered at, especially in a business of this importance, and where the disobliging of the commissioners could be of no advantage to the king[a]."

The sole purport of this paper was to demand a safe-conduct for the duke of Lenox and the earl of Southampton to carry the king's answer to the propositions. The demand naturally excited many jealousies in the parliament; but through the strenuous efforts of the friends of peace, they were at length laid aside, and Essex was directed to write to prince Rupert that the safe-conduct would be granted provided his majesty would desire it of "the lords and commons of England assembled in parliament at

[a] Whitelock, p. 115.

Westminster." That is, if he would again acknowledge them in their legal capacity. On this point a council was held at Oxford. The king "concurred not in the opinion that it was fit to call those at London a parliament;" but being supported by none but secretary Nicholas, he found it necessary to comply; at the same time however, for the satisfaction of what he unintelligibly called his honor and his conscience, he prevailed to have the extraordinary decision registered in the council-book, that his majesty's desire of a safe-conduct in such terms, "would not be any acknowledgement or confession of the members of the two houses sitting at Westminster to be a parliament, nor any ways prejudice his majesty's cause[a]." "As for my calling those at London a parliament," he writes to the queen on this occasion, ".... if there had been but two besides myself of my opinion, I had not done it[b]."

Richmond and Southampton, who now repaired to London, were justly regarded by the parliament as a kind of authorized spies and intriguers whom it would be wise to remove as quickly as possible from a scene of so much distraction and confusion as London and the two houses at this period exhibited; they were therefore dismissed immediately on delivering their message, which was a request for the appointment of commissioners to meet with an equal number on the part of the king to discuss terms of

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[a] Evelyn's *Mem.* ii. Append. p. 90.

[b] *The King's Cabinet Opened,* in *Harl. Misc.* p. 343.

peace. The proposal however was accepted, and in consequence the treaty of Uxbridge was opened on January the 30th, 1645.

The letters of Charles to his queen at this crisis, with her answers, instructively disclóse the motives of the king and the sentiments of both. To obviate her fears of his sacrificing his honor in offering "a treaty to the rebels upon base and unsafe terms," he thus assigns his reasons: "Know, as a certain truth, that all, even my party, are strangely impatient for peace, which obliged me so much the more, at all occasions, to show my real intentions to peace; and likewise I am put in very good hope, ... that if I could come to a fair treaty, the ring-leading rebels could not hinder me from a good peace; first, because their own party are most weary of the war, and likewise for the great distractions which at this time most assuredly are amongst themselves, as presbyterians against independents in religion, and general against general in point of command." At the same time he entreats her to make others know, as well as herself, this certain truth; That no danger of death, or misery, which he thinks worse, shall make him do anything unworthy of her love. He ends by conjuring her to allow neither any prospect of peace, nor any hopeful condition of his, to make her neglect to hasten succours for him. On announcing to her that "the settling of religion and the militia" will be the points first treated on, he bids her be confident that he will neither quit epi-

scopacy nor the sword which God has given into his hands.

During the progress of the negotiations, Charles writes that "the unreasonable stubbornness of the rebels gives daily less and less hopes of any accommodation this way," and therefore enjoins the queen to hasten to him all possible assistance, particularly that of the duke of Lorrain, who had engaged, as she had informed him, to march a body of ten thousand men to his aid, for whom he expresses his hope that the prince of Orange would find means of transport. At the same time he boasts of intelligence received of a great defeat given by Montrose to Argyle; and as for trusting the rebels either by going to London, (as they had often besought him, and he on certain terms had offered to do,) or by disbanding his army before a peace, he bids her by no means fear his "hazarding so cheaply or foolishly;" adding, that he esteems her part in him at a far dearer rate. In a following letter, after mentioning that the term of treaty had nearly ended without accord on any point, he complains that some had indeed too great a mind that he should go to London, of which number was Percy, whom she therefore was likely soon to see in France.

In a memorable letter of March the 5th announcing the fruitless issue of the treaty which he had foreseen, he expresses his confidence that he should find very good effects of it; for that his own commissioners had offered, "to say no more, full measured

reason," whilst the "rebels" had "stuck rigidly to their demands," which, he dared to say, would have been too much though they had taken him prisoner, so that "the breach would light foully upon them." "Besides this," he continues, "we have likewise at this time discovered, and shall make it evidently appear to the world, that the English rebels, whether basely or ignorantly will be no very great difference, have, as much as in them is, transmitted the command of Ireland from the crown of England to the Scots, which, besides the reflection it will have upon these rebels, will clearly show that reformation of the church is not the chief, much less the only end of the Scottish rebellion; but it being presumption, and no piety, so to trust to a good cause, as not to use all lawful means to maintain it, I have thought of one means more to furnish thee for my assistance than hitherto thou hast had; it is, that I give thee power to promise, in my name, to whom thou thinkest most fit, that I will take away all the penal laws against the Roman catholics in England, as soon as God shall enable me to do it; so as, by their means, or in their favors, I may have so powerful assistance, as may deserve so great a favor, and enable me to do it. But if thou ask what I call that assistance, I answer, that when thou knowest what may be done for it, it will be easily seen if it deserve to be so esteemed. I need not tell thee what secrecy this business requires; yet this I will say, that this is the greatest point of confidence I can express to thee; for it is no thanks to me to

trust thee in anything else but in this, which is the only thing of difference in opinion betwixt us; and yet I know that thou wilt make a good bargain for me even in this. I trusting thee, though it concern religion, as if thou wert a protestant, the visible good of my affairs so much depending on it." &c.

Henrietta had in the beginning thus expressed her sense of what ought to be her husband's conduct in these transactions: "I have nothing to say but that you have a care of your honor, and that if you have a peace it may be such as may hold; and if it fall out otherwise, that you do not abandon those who have served you, for fear they do forsake you in your need. Also I do not see how you can be in safety without a regiment of guards: for myself I think I cannot be, seeing the malice which they have against me and my religion, of which I hope you will have a care of both; but in my opinion religion should be the last thing upon which you should treat: for if you do agree upon strictness against the catholics, it would discourage them to serve you, and if afterwards there should be no peace, you could never expect succours, either from Ireland or any other catholic prince, for they would believe you would abandon them after you had served yourself." In the same spirit, she advised him by no means to give up the cause of episcopacy[a].

From the secret instructions signed by the king

[a] See *The King's Cabinet Opened*, passim.

for Richmond and Southampton in their preliminary mission, it is evident that to collect intelligence, and to sow divisions amongst those whom the king styled the rebels, was the real purpose of their journey, in order to which they were supplied with a variety of propositions to spin out the time and prevent the parliament from giving them a speedy dispatch and dismissal. They were to court the independents with promises of the king's pardon and favor, and of rewards for any service they might perform to him: They were to rouse the loyalty of the Scotch commissioners by informing them of designs laid for the destruction of his majesty and his posterity,—their native line of princes: They were to inquire what party could be made for the king in the city, to encourage the well-affected there, and if possible to obtain money from them; and lastly, they were to visit, encourage, and, if they could find the means, relieve by pecuniary aids, loyal prisoners, and particularly soldiers[a]: instructions which they punctually obeyed.

Preliminaries being at length adjusted, the treaty of Uxbridge opened on January the 30th, 1645. The terms proposed by the parliament did not materially differ from those previously discussed at Oxford, excepting that the king was required to break off his truce with the Irish rebels, and to take the covenant himself and impose it universally. With respect to the dispositions in which these negotiations

[a] *Clarendon Papers*, ii. 180.

were entered upon, it may be without hesitation stated, that whatever desire for peace in the abstract might animate the bosoms of men who all, the king himself by no means excepted, had by this time feelingly learned the miseries attendant on a state of civil war,—no party was disposed as yet to sacrifice to it those specific objects for which they had originally taken up arms.

The king, as we have seen, preferred a continuance of hostilities carried on by foreign mercenaries and Irish rebels, to the demanded concessions relative to episcopacy and the militia. The independents and minor sectaries preferred a vigorous prosecution of the war, with the chance of overturning all the ancient establishments of the country, to the relinquishment of religious liberty and their own republican notions of government. The zealous presbyterians were willing still longer to support the rapacity and arrogance of their Scotch allies for the sake of establishing at the sword's point the discipline of Geneva. The moderate royalists and the parliamentarians still attached to kingly rule, of which kind of persons the Uxbridge commissioners for the greater part consisted, labored, however, diligently and sincerely at a compromise. The virtuous Southampton exhausted himself in pleadings with his master to yield what should be necessary on his side, and once flattered himself that he had prevailed; and on the other hand, we have seen into how irregular a step Hollis and Whitelock had suffered themselves to be betrayed in their zeal to

mediate between their own body and the king. It is probable that these efforts might have brought about at least a temporary accommodation, but for the fatal reliance of Charles on foreign and popish aid on one part, and the genius of presbyterianism, to which Hollis and his friends were devoted, on the other. This scheme of religion, which the king was required to establish, had no one quality capable of recommending it to adoption as a middle course. Neither the high episcopacy of Laud, nor even the pontifical infallibility of Rome itself, was more rigid in demanding the absolute surrender of the dictates of private conscience to the decrees of the church. It claimed for its peculiar discipline the sanction of right divine; and bigotry the most intense, guarded by vigilance the most minute and the most unrelaxing, formed its very soul. The votaries therefore of the other exclusive churches, and those who were struggling for the broad principle of religious liberty, found themselves alike interested in resisting its establishment, and on this point both were likely to remain inflexible. With these obstacles to contend against, the failure of the treaty can be no object of surprise; the conferences broke up on February the 22nd.

The conduct of Charles in these negotiations is not chargeable to any considerable degree with duplicity; haughtiness and inflexibility were its more prominent features. He had been compelled to enter upon them, as we have seen, by the importunities of his own adherents, and the chief or sole

advantage which he anticipated from them was an opportunity of disuniting his adversaries, and of making them exhibit themselves in odious colors to the nation at large. The spirit of conciliation which was not in his heart, was almost as little upon his lips. His rude and contemptuous language to the commissioners at Oxford has been reported; and it may here be mentioned, that when he had been pleased to tender his *gracious* pardon to the parliamentary troops on condition of their laying down their arms, the offer always seemed to be made principally for the sake of reminding them that they were the party solely guilty of the war, and in his estimation justly obnoxious to the penalties due to the foulest treason and rebellion. He sometimes even denounced to them eternal perdition as the penalty of their disloyalty.

The political effects of this abortive treaty were important. It set at a greater distance those whom it had failed to unite. On both sides we find acts attending its progress, or closely following its termination, which indicate a progressive conviction in the truth of that sad and ancient maxim, that they who draw the sword of civil war may throw away the scabbard. An ordinance passed for permanently excluding from parliament such members as should seek to return to it after serving in the king's armies: Another, that no officer or soldier should give quarter to any Irish rebel or Irishman taken in arms. Sentence of death was executed upon lord Macguire for his share in the Irish rebellion, upon sir Alex-

ander Carew for his attempt to betray Plymouth, and also upon the two Hothams, in spite of vehement efforts on the part of the house of lords to save them. A plan for new-modelling the army was carried, and soon after the self-denying ordinance, which, under the profession of excluding impartially all the members of both houses from military commands, had eventually the effect of depriving the peers, and especially the earls of Essex and Manchester, of this most important kind of authority, and lifting Cromwell and his independents, leaders incomparably more formidable, into their stations. The use of the Common Prayer was prohibited, and that of the Directory enjoined in its stead. Finally, a resolution was taken to prosecute to a conclusion the trial of the archbishop of Canterbury, so long procrastinated, and apparently forgotten.

On which party is to be charged the long delay, through which the primate had been detained nearly four years an untried prisoner, is not clear. If on one hand the house of commons had neglected to draw up the additional articles of accusation which they had reserved to themselves the right of offering, on the other hand Laud himself had not only omitted to petition for the expediting of his trial, but had more than once requested further time to make his defence. It is probable that each party was willing to wait upon events; the prisoner perhaps hoping that in case of an accommodation he might be included in the general amnesty; the presbyterians, the most inveterate of his enemies, cal-

culating that when their sect should become legally established, they should find less difficulty in procuring his condemnation. It was doubtless the influence of the Scotch, and the clause introduced into the covenant obliging the subscribers to the effectual prosecution of malignants and all other public offenders, which had now reanimated the zeal of the commons in this affair.

Laud had not gained for himself in the days of his authority the merciful man's right to mercy, and his impeachment was followed up by the indefatigable Prynn in a spirit much more conformable to that which had formerly dictated the cruel and vindictive inflictions of the primate against himself, than to that of him whom they both owned with their lips for Lord and Master.

The additional articles were brought forward in October 1644, and the trial commenced in March following. After twenty days of hearing, during which the prisoner defended himself with great courage and acuteness, though in those instances where the evidence pressed him the hardest, with more of special pleading than is consistent with an internal sense of innocence, the house of commons, as in the case of Strafford, changed its course, and determined to proceed by bill of attainder. But with a disregard of the substance no less than the forms of justice hitherto unexampled, they required the lords to vote upon the bill sent up to them without having heard the evidence on which it was grounded. The lords hesitated long, pleading that

although the facts charged against the prisoner were admitted, none of them amounted to treason within any statute; and the judges coincided in this opinion. But the prosecutors were inflexible; the populace were instigated to clamour for justice, petitions to the same effect were in preparation, and by a feeble remnant of six peers the bill was finally passed. A royal pardon of two years' standing pleaded by the primate was overruled; and on January the 10th, with a dignity and pious resignation which, together with the unwarrantable means employed in exacting the forfeiture of his life, served to cancel with many the memory of his numerous and great offences against the laws and liberties of his country, against justice, and even against common humanity, he bowed his head to the axe in the seventy-second year of his age.

This event is thus remarkably alluded to by Charles in a letter to the queen. "I will not trouble thee with repetitions of news, Digby's dispatch, which I have seen, being so full that I can add nothing; yet I cannot but paraphrase a little upon that which he calls his superstitious observation: it is this: Nothing can be more evident, than that Strafford's innocent blood hath been one of the great causes of God's just judgements upon this nation, by a furious civil war, both sides hitherto being almost equally punished, as being in a manner equally guilty; but now, this last crying blood being totally theirs, I believe it is no presumption hereafter to hope, that his hand of justice must be

heavier upon them, and lighter upon us, looking now upon our cause, having passed by our faults[a]."

Thus prone, it may be remarked, is self-partiality to arrogate to itself superior claims to the favor of Heaven on frivolous or sophistical pretences! In striking this balance of guilt between himself and the parliament, an enlightened conscience would have prompted Charles to reflect, that had he been satisfied, in the first instance, to confine himself within the limits assigned by laws and charters to the authority of an English king, neither Laud nor Strafford could have been involved, as his ministers and accomplices, in those attempts against the liberties of their fellow subjects which ended by bringing down destruction upon themselves!

During the progress of the treaty, the period arrived to which Charles had prorogued his Oxford parliament, and it reassembled, but with diminished numbers, and in a temper far removed from the devoted and self-sacrificing loyalty which their master required. His feelings regarding this assembly and its proceedings are thus energetically expressed in a letter to his consort of March the 13th.

"What I told thee last week concerning a good parting with our lords and commons here, was on Monday last handsomely performed; and now if I do anything unhandsome, or disadvantageous to myself or friends, in order to a treaty, it will be merely my own fault; for I confess when I wrote

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[a] *The King's Cabinet Opened.*

last, I was in fear to have been pressed to make some mean overtures to renew the treaty, knowing that there was a great laboring to that purpose: but now I promise thee, if it be renewed, (which I believe will not be without some eminent advantage on my side,) it shall be to my honor and advantage, I being now as well freed from the place of base and mutinous motions, that is to say, our mongrel parliament here, as of the chief causers, for whom I may justly expect to be chidden by thee, for having suffered thee to be vexed by them,—Wilmot being already there, Percy on his way, and Sussex within few days taking his journey to thee,—but that I know thou carest not for a little trouble to free me from great inconveniences[a]." &c.

We learn that during the treaty, on account no doubt of their "mutinous motions," the king had committed Sussex, Percy, and lord Andover to custody, and taken from Sussex the staff of treasurer of the household[b], on which this profligate person deserted back to the parliament.

The events and designs which by buoying up the courage of the king supported him in finally refusing to the entreaties of his best friends the concessions which he had apparently almost sanctioned, must now be unfolded. Montrose had been for some months the anchor of his hope. This enterprising leader, escaping in disguise with two followers only from Marston Moor, had crossed the Scottish border

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[a] *The King's Cabinet Opened.* [b] Dugdale's *Diary.*

on foot, and sheltered himself with a kinsman in the Western Highlands to await the arrival of the *ten thousand* Irish whom Antrim had engaged to land upon that coast. The promises of this chieftain had as usual far outrun his means of performance; but a body of *sixteen hundred* at length made their appearance and placed themselves under the command of Montrose. Joining to these all the Highlanders who could be induced to enlist in his cause, Montrose, by that mixture of skill and audacity which marks true military genius, had proceeded rapidly from one success to another, and threatened to subjugate the whole of Scotland.

The calculating cruelty with which he abandoned to fire and sword whole tracts of country belonging to the king's enemies or his own, suffering also the savages whom he led to satiate upon them every propensity of their brutal and ferocious natures, struck a universal horror and consternation. The country was in great measure disarmed by the absence of its disciplined troops in England; Argyle however collected his clan and advanced to Inverlochy to resist the invader. Here on February the 1st he was attacked on a sudden by Montrose and defeated totally, with the slaughter of no less than fifteen hundred of the name of Campbell. A vaunting and exaggerated account of his success was instantly dispatched by the victor to Oxford, which arriving just as the earl of Southampton had quitted the royal presence with the assurance that the last offers of the parliament respecting the militia would be

accepted, is said to have been the cause of the king's retracting this concession on the following morning. Conceiving that the Scotch would now be compelled to withdraw their army for the defence of their own hearths, the buoyant spirit of Charles flattered him once more with the complete restitution of his affairs, and he welcomed with delight the exhortations of Montrose to stoop to no unworthy compromise with rebels.

There was another quarter also whence his majesty now looked for speedy and effectual succours; and this was Ireland. Undeterred by the obloquy and disaffection which he had incurred amongst his protestant adherents by his first cessation with the popish rebels, he resolved immediately on its expiration, to substitute for it a permanent and final pacification. His views in this measure, and the concessions which he was prepared to make in order to carry it, appear from his own letter of instructions to the marquis of Ormond written immediately before the commencement of the Uxbridge treaty. Aware that the resumption of war with the Irish rebels would be one of the first conditions of accommodation demanded by the English parliament, and that this would be "a point not popular for him to break on," he enjoins the lord-deputy to use all possible diligence to conclude a peace with the Irish previously, assuring them that when once his word was engaged, all the world should not make him break it. "But," he adds, "not doubting of a peace, I must again remember you to press

the Irish for their speedy assistance to me here, and their friends in Scotland, my intention being to draw from thence into Wales (the peace once concluded,) as many as I can of my armed protestant subjects; and desire that the Irish would send as great a body as they can land about Cumberland, which will put those northern counties into a brave condition. Wherefore you must take speedy order to provide all the shipping you may, as well Dunkirk as Irish bottoms." In a subsequent letter he thus enlarges and enforces his former orders. "..... It being now manifest, that the English rebels have (as far as in them lies) given the command of Ireland to the Scots; and that their aim is a total subversion of religion and regal power; and that nothing less will content them or purchase peace here; I think myself bound in conscience not to let slip the means of settling that kingdom, if it may be, fully under my obedience, nor to lose that assistance which I may hope from my Irish subjects, for such scruples as in a less pressing condition might reasonably be stuck at by me, for their satisfaction. I do therefore command you to conclude a peace with the Irish, whate'er it cost, provided that my protestant subjects there may be secured, and my regal authority preserved. ..... If the suspension of Poyning's Act for such bills as shall be agreed on between you there, and the present taking away of the penal laws against papists by a law, will do it, I shall not think it a hard bargain, so that freely and vigorously they engage themselves in my assistance against my

rebels of England and Scotland, for which no conditions can be too hard, not being against conscience or honor[a]."

It appears that the conscience of Ormond, with respect to the religion of Rome, was of a less complying temper than that of his master; and perhaps his honor was likewise wounded by the project of offering to the Irish what it was utterly improbable that the king would ever be in circumstances to obtain for them,—the regular abrogation of all the penal laws affecting them. He therefore in his negotiations principally exerted his endeavours to prevail upon the Kilkenny council to accept of lower terms from the king than he had been thus privately authorized to grant; by this means the treaty was protracted more than suited the circumstances or the policy of Charles, who was thus induced to call in the aid of a personage remarkable enough here to claim a particular notice.

Edward Somerset lord Herbert, better known by his subsequent title of earl of Glamorgan,—eldest son of the earl of Worcester, to whom his majesty had lately granted the patent of a marquis,—was one of those whose favor at court had been most a theme of general reproach. He was in all the force of the term a papist; a true disciple of the jesuits; or, in the words of the papal nuncio Rinuccini, "*ter catholicus;*" and when, notwithstanding this obstacle, and in glaring defiance of the laws, the king,

[a] Birch's *Inquiry*, pp. 5, 10.

at the commencement of the war, appointed him lieutenant-general of South Wales, the step had been reprobated apparently by every protestant in his council. This appointment was also prominently placed by the parliament in its list of grievances, and the exclusion of his lordship from the verge of the court, and from all office or public employment, had been one of the "desires and propositions" tendered by the parliament in the Oxford treaty. His services to the royal cause had hitherto been confined to sending several hundreds of raw Welsh recruits levied, really or ostensibly, at his own and his father's expense, to the siege of Gloucester, where they surrendered to Fairfax without a blow; he himself, who had no military tastes, not being present to animate or control them. Charles however, from the exaggerated value which he had been prompted to attach to the adherence and the exertions of the English catholics, had continued to load him with marks of distinction: he conferred upon him by sign manual the dignity of earl of Glamorgan, though the title was not as yet to be assumed; and on April the 1st, 1644, granted to him one of the most extraordinary patents ever conferred by an English sovereign.

By this instrument, the earl of Glamorgan was appointed "generalissimo of three armies, English, Irish and foreign, and admiral of a fleet at sea," with power to recommend his lieutenant-general and absolutely to appoint all his other officers, himself receiving no orders but from his majesty in per-

son. To defray the expenses of his employment he was authorized to contract with any subjects in England, Wales or Ireland, for wardships, customs, woods, or any other royal rights and prerogatives. Several blank patents of honors, from the degree of marquis to that of baronet, were placed at his disposal; and for his own encouragement, besides all the fees, titles, and privileges belonging to his command, the king promised him for his eldest son the hand of his daughter Elizabeth with a portion of 300,000*l.*, and for himself and his heirs the title of duke of Somerset; he was likewise to bear the decorations of the garter[a].

In December of the same year, the king proposing to dispatch him to Ireland, gave him a letter of credence to Ormond, as one whom he had engaged "by all means to forward the peace there;" and he sent him a secret commission empowering him to levy any number of men in Ireland and other parts beyond sea, to put officers over them, and governors in forts and towns, and to receive the king's rents[b]. During the continuance of the Uxbridge treaty these secret measures were proceeding without intermission; and in March 1645 Glamorgan, who was still in Wales, occupied with various preparations for raising four thousand men in that principality to join with the six thousand from Ireland with whom he engaged to his majesty that he would land in May or the beginning of June,

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[a] See the patent at full in Birch's *Inquiry*, p. 23. [b] *Ibid.* p. 18.

required and obtained from him full powers in the following form. "We ..... authorize and give you power, to treat and conclude with the confederate Roman catholics in our kingdom of Ireland, if upon necessity any [terms] be to be condescended unto, wherein our lieutenant cannot so well be seen in, as not fit for us at present publicly to own. Therefore we charge you to proceed according to this our warrant, with all possible secrecy; and for whatsoever you shall engage yourself, upon such valuable considerations as you in your judgement shall think fit, we promise on the word of a king and a christian, to ratify and perform the same that shall be granted by you, and under your hand and seal; the said confederate catholics having by their supplies testified their zeal to our service[a]."

By another instrument the king had engaged himself "on the word of a king and a christian" to make good whatever Glamorgan should perform as warranted under his "sign manual, pocket signet, or private mark, or even by word of mouth, as effectually as if under the great seal of England. And although," it is added, "you exceed what law can warrant, or any powers of ours reach unto, as not knowing what you have need of; yet, it being for our service, we oblige ourself not only to give you our pardon, but to maintain the same with all our might and power[b]."

In these rash, perilous, and certainly most unjus-

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[a] Birch's *Inquiry*, p. 21.

[b] *Ibid.* p. 18.

tifiable intrigues, by which Charles at once discredited and disabled for his service his own official representative in Ireland, and put it into the power of a bigoted catholic to ruin him for ever, as a protestant prince, in the esteem and affections of the great bulk of his subjects, the obvious consideration seems to have escaped him, that the carte blanche which he here offered to the Irish, like the enormous interest tendered by a needy borrower, could not fail to excite such a distrust of the security as to impede all serious transactions. How far this proved to be the case we shall see hereafter; in the mean time the thread of events in England must be resumed with the opening of the eventful campaign of 1645.

CHAPTER XXVIII.

1645—1646.

Opening of the campaign.—The prince of Wales sent into the West.—Movements of the king.—Sack of Leicester.—Fairfax rises from before Oxford.—Battle of Naseby.—The king's cabinet taken, and the consequences.—Wanderings of the king.—He reaches Ragland.—His letter to Rupert against peace.—He marches northwards,—plunders Huntingdon,—approaches London,—returns to Oxford.—Repairs again to Ragland.—Rupert surrenders Bristol.—The king's letter to him.—He marches towards Chester.—Is defeated at Routen Heath.—Retreats to Newark.—Traits of his behaviour.—Mutinous conduct of Rupert and his party.—The king escapes with difficulty to Oxford.—His council advise negotiation.—He demands a personal treaty, which is refused.—Discovery of Glamorgan's treaty with the Irish rebels.—Glamorgan imprisoned and disavowed.—Difficulties about the Irish treaty.—Ruin of the royal cause in the West.—Defeat of Astley.—The war at an end.—Dissension between the parliament and the Scotch.—The king again proposes to treat at London.—Mission of Montreuil.—His negotiations for the king with the Scotch.—The king gives himself up to the Scotch at Newark.—They resolve to convey him to Newcastle.—He wishes to quit them, but is unable.—The prince of Wales joins his mother in France.—Sir Edward Hyde in Jersey.

THE campaign of 1645 was tardy in its commencement. The parliamentarian officers were occupied in carrying into effect the new model of the army, which occasioned some mutinies and threatened more, and it was nearly the end of April

before Fairfax, who had succeeded Essex in the chief command, prepared to break up from his quarters around Windsor. The king, upon the whole aspect of his affairs, judged it expedient to separate the young prince of Wales from his own hazards; and about March sent him with the title of generalissimo, but under the guardianship of lords Capel and Colepepper, and of Hyde, into the West, where an attempt was to be made to raise an army for him, and whence, on the failure of this design, or the approach of actual danger to his person, his escape to France would be easy. After taking this step, and settling the plan of his own operations, Charles issued forth from Oxford, and making a junction with Rupert, whom he had appointed general in place of Ruthven, marched northwards with an army of ten thousand men for the purpose of relieving Chester, important to him at this time as the landing-place of his expected Irish succours. On entering Staffordshire, however, he was met by lord Byron with news that the siege was already raised; the Scotch, who were to have concurred in it, having on some disgust turned their march homewards. Fairfax had just sat down before Oxford, with the expectation, in which he was disappointed, of its being delivered to him by a party within; and the king, finding him thus occupied, now took the opportunity to strike a blow against the nearest town of consequence held by the parliament, which was Leicester. He gained the place by assault, and the garrison were made prisoners of war, "whilst the

conquerors," says Clarendon, "pursued their advantage with the usual license of rapine and plunder, and miserably sacked the whole town without any distinction of persons or places..... This," he adds, "was exceedingly regretted by the king, who wished that those who had faithful hearts to him in that generally disaffected town, might have been distinguished from the rest;"—for whom apparently he felt no pity. After this exploit, his majesty, listening to the supplications of the affrighted court, assembled his army and set out as if to the succour of Oxford. But on June the 4th he thus explained to Nicholas the difficulties of his situation. "..... I would not answer any of [your letters] until I were marching towards you, without thinking of any thing else before I have relieved you. Yet I must deal freely with you, that my army is so weak, not being 4000 foot, and scarce 3500 horse, as I shall unwillingly hazard to relieve Oxon before Goring or Gerrard be joined to me, except such an absolute necessity that Oxon will be lost if not relieved by a certain day. Wherefore, as you love my preservation, use all possible means of prolonging your provisions, though it be by chasing out all unnecessary people who have not provision for themselves, and stinting every one, duke of York not excepted, to a small proportion of meat every day, and do not hasten me to you without very absolute necessity[a]."

[a] Evelyn's *Append.* ii. 93.

Four days after, however, he wrote to the queen with renovated spirits, that his approach had already caused Fairfax to break up from Oxford, that his opponents were at great discord amongst themselves, that he believed them weaker than was thought, as they seemed to decline giving battle, and that on the whole, his affairs had never, since the rebellion, been in so fair and hopeful a way. On the 12th of the same month he took the amusement of hunting. The next morning, Fairfax having advanced to Northampton with a greater force than he had before been informed of, he resolved to retire to Belvoir, "but I assure you," he writes to Nicholas, "I shall look before I leap further north." The same night, on intelligence of the nearer approach of Fairfax, in a midnight council with Rupert and his headlong cavaliers, the rash resolve was taken "to fight," and to be themselves the assailants; the royal army was put in array, and the same morning their opponents met them on the memorable field of Naseby.

The history of this battle bears a remarkable similarity to that of Marston Moor. Rupert again, with his wing of cavalry broke that opposed to him, which was commanded by Ireton; he pursued it with his usual impetuosity to the rear, and there lost time in an ineffectual attack upon the park of artillery. Meantime Cromwell after a severe contest defeated, but forbore to chase, the king's other wing under sir Marmaduke Langdale; and Fairfax with his main body prevailed, though with difficulty,

against that of the king, led on by sir Jacob Astley and accompanied by his majesty in person. Cromwell coming up with his victorious wing to the support of Fairfax decided the victory, and Rupert on his return to the field found the artillery taken and the whole of the infantry in disorder; the cavalry, rallied by Charles with great courage and presence of mind, stood firm as yet, but Fairfax's horse was advancing against it in formidable array, supported by foot and cannon. "One charge more," cried the king, "and we recover the day!" But the force was too unequal, the hazard too appalling; they hesitated, turned, fled in confusion, carrying the king along with them, and were hotly pursued for twelve miles on the road to Leicester.

It is universally allowed that both sides fought with true English valor; the numbers of the slain are not accurately known, but the important fruits of victory reaped by the parliament consisted of five thousand prisoners, the entire train of artillery, with the ammunition, more than a hundred colors, the whole baggage of the army, including the rich plunder made at Leicester, and the king's cabinet with his letters and papers. The sense entertained of their success by the conquerors may be illustrated by the quaint expression of one of their popular divines: that the Almighty had held his petty sessions with the cavaliers at Marston Moor, but that he kept his grand assize at Naseby. After this decisive blow, the prolongation of the war exhibited nothing on the royal side but a series of convulsive

struggles, the issue of which, in all probability, no one but Charles himself was blind enough to regard as even doubtful.

One of the most irreparable disasters of the day to the king was the capture of his cabinet, containing that correspondence with his queen and others from which we have already given copious extracts. The generous Fairfax, styled by Charles in one of those very letters, "the rebels' new brutish general," long hesitated, from feelings in which even excess is honorable, to violate the privacy of these papers; but Cromwell and Ireton finally overcame his scruples by pleading the good of the cause, and they were sent up to the parliament, who caused them first to be read to the assembled citizens in Guildhall, and afterwards published. These documents placed it beyond a doubt that the absolute power which Charles had ever regarded as his right was still his aim and end, and that he made no scruple of the means for its attainment. They exhibited him as insincere or fraudulent in his overtures for peace, regarding no concession as definitive, no promise as obligatory. They strikingly displayed the dangerous ascendency of the queen; they laid open his intrigues with the Irish rebels; exposed him as a perjured man in the declaration which he had made on his sacramental faith, that he would grant no toleration for popery; and finally they fixed upon him that most inexpiable of all treasons against country, the summoning

of foreign mercenaries to decide by their swords a civil and domestic quarrel.

It is probable that on these letters primarily was founded the resolution afterwards avowed by the independent party generally, to admit of no treaty which should leave Charles, under whatever restrictions, the occupant of the English throne. The more prudent of his adherents sought to parry this fatal blow by denying the genuineness of the letters published by the parliament; but the king himself, less accessible to shame, or less aware of consequences, thus at once avows and justifies them in his correspondence with Nicholas. "....I must desire you to let every one know, that no distress of fortune whatever shall make me, by the grace of God, in any thing recede from those grounds I laid down to you who were my commissioners at Uxbridge, and which, I thank them, the rebels have published in print: and though I could have wished that pains had been spared, yet I will neither deny that those things are mine which they have set out in my name, (only some words here and there mistaken, and some commas misplaced, but not much material,) nor, as a good protestant, or honest man, blush for any of those papers; indeed, as a discreet man I will not justify myself; and yet I would fain know him who would be willing that the freedom of all his private letters were publicly seen, as mine have now been; howsoever, so that one clause be rightly understood, I care not much though the rest

take their fortunes; it is, concerning the 'mungrel parliament;' the truth is, that Sussex' factiousness at that time put me somewhat out of patience, which made me freely vent my displeasure against those of his party to my wife[a]."

Charles was at this time reduced to the state of a fugitive, flitting from place to place without any other obvious design than to secure himself for the present, whilst waiting for the favorable chances which might turn up in one quarter or other. Passing hastily through Leicester, which immediately capitulated, he marched on accompanied by Rupert to Lichfield, thence to Bewdley, and then proceeded to Hereford, with "some disjointed imagination," says Clarendon, "that he might with those forces under Gerrard, who was general of South Wales, and was indeed upon his march with a body of two thousand horse and foot, be able to have raised a new army." Here Rupert quitted him and hastened to put Bristol into a condition to resist the powerful and victorious enemy likely soon to appear before its gates; and the noble historian wonders that the king did not also repair to the West, where he had an army ready formed and the people were generally well inclined to him, instead of attempting to raise new troops in "counties which had been vexed and worn out with the oppressions of his own troops and the license of those governors whom he had put over them." Charles proceeded

[a] *Memoirs of Evelyn*, ii. Append. 101.

from Hereford to Abergavenny to urge to fresh efforts the noblemen and gentlemen commissioners for South Wales, of whose loyalty he had formerly received substantial proofs in the strong regiments which they had sent forth under their sons and brothers. Their professions and promises were still free and ample; but growing despondency, produced by the rapid successes of the parliament, on one hand, and growing disaffection, fomented by the misconduct of the cavalier officers, on the other, effectually intercepted the performance of their engagements. The king, in the mean time, repaired to Ragland castle, the noble seat of the marquis of Worcester, by whom it had been strongly garrisoned. Here, through the munificent hospitality of the loyal owner, Charles once more saw around him the image of a court, and found in the field-sports which he loved a short respite from the anxieties of his situation. Here also he enjoyed the facilities which he desired for carrying on his secret correspondence with the earl of Glamorgan, by whom he vainly hoped to see a landing effected on the Welsh coast at the head of his Irish auxiliaries. In this asylum Charles remained till Fairfax, after recapturing Leicester, marched for the West, and Rupert in consequence sent for all the new levies and other disposable force of the royal army to strengthen Bristol, the Scotch being again in motion and marching upon Worcester. He then proceeded to meet Rupert at Chepstow, designing to return with him to Bristol; but irresolute, and swayed by new coun-

sels, retreated to Cardiff, where he continued some time in a state of inaction, awaiting events.

The strong town of Bridgwater now surrendered to Fairfax without resistance, and such a despair of the state of things pervaded the royal party, that Rupert himself addressed to his royal kinsman some representations in favor of peace, which drew forth a reply containing the following remarkable passages: "..... As for the opinion of my business and your counsel thereupon, if I had any other quarrel but the defence of my religion, crown and friends, you had full reason for your advice. For I confess that speaking either as to mere soldier or statesman, I must say that there is no probability but of my ruin, but as to Christian, I must tell you that God will not suffer rebels to prosper, or his cause to be overthrown; and whatsoever personal punishment it shall please him to inflict upon me, must not make me repine, much less to give over this quarrel; which by the grace of God I am resolved against, whatsoever it cost me; for I know my obligations to be, both in conscience and honor, neither to abandon God's cause, injure my successors, nor forsake my friends. Indeed I cannot flatter myself with expectation of good success more than this, to end my days with honor and a good conscience; which obliges me to continue my endeavour, as not despairing that God may in due time avenge his own cause. Though I must avow to all my friends, that he that will stay with me at this time, must expect and resolve, either to die for a good cause,

or, which is worse, to live as miserable in the maintaining it as the violence of insulting rebels can make him. Having thus truly and impartially stated my case unto you, and plainly told you my positive resolutions, which by the grace of God I will not alter, they being neither lightly nor suddenly grounded, I earnestly desire you not in any way to hearken after treaties; assuring you, low as I am, I will not go less than what was offered in my name at Uxbridge; confessing that it were as great a miracle that they should agree to so much reason, as that I should be within a month in the same condition that I was immediately before the battle of Naseby. Therefore, for God's sake, let us not flatter ourselves with these conceits; and believe me, the very imagination that you are desirous of a treaty will lose me so much the sooner. Wherefore, as you love me, whatsoever you have already done, apply your discourse according to my resolutions and judgement. As for the Irish, I assure you they shall not cheat me; but it is possible they may cozen themselves: for be assured what I have refused to the English, I will not grant to the Irish rebels, never trusting to that kind of people, of what nature soever, more than I see by their actions; and I am sending to Ormond such a dispatch as I am sure will please you and all honest men[a]." &c.

This letter may be dismissed with the remark, that the passage respecting the Irish sufficiently

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[a] *Hist. Rebellion*, v. 225.

proves that Rupert was not at this time admitted to the inmost counsels of his royal uncle; and that the tone of martyrlike unalterable resolution here assumed by Charles, was perhaps rather designed to rebuke the importunities of the friends of peace in his own army, than to express the genuine state of his feelings and expectations.

Animated by the astonishing successes of Montrose, and hoping to form at length a junction with him, the king, before the middle of August, quitted Wales, and took a northerly and easterly course by Wolverhampton and Lichfield, the Scotch army breaking up the siege of Hereford on his approach, but following him on his march with its cavalry, under David Lesley, to which a body of English was united. He had reached Doncaster, and the Yorkshire cavaliers were preparing to join his standard in considerable force, when the advance of Lesley to intercept his passage northwards, spread dismay through his ranks, disconcerted his project, and caused him to fall back upon his garrison of Newark, where he soon learned the total defeat of Montrose at Philiphaugh. The parliament, apprehensive of his breaking into the associated counties, sent prompt reinforcements in that direction; Charles however made a rapid march by Belvoir and Stamford to Huntingdon, where the sheriff, one of the Cromwell family, summoned the force of the county to assemble in his favor. His troops entered the town of Huntingdon after some resistance, and

"miserably plundered" it; after which they proceeded, skirmishing by the way with various parties of parliamentarians, into the counties of Cambridge and Bedford. "The king," says Whitelock, "gave several alarums to Cambridge, faced them with a party of horse, and his forces plundered the country where they went, laid great taxes upon towns to be paid presently, and so they marched forwards. Understanding that the country were rising, and some forces from Cambridge coming against him, he went to Woburn, where some of his stragglers were taken, his forces plundered much in Bedfordshire and Hertfordshire, and within five miles of St. Albans, some skirmishes were between parties of them and of the parliament's forces under major Cokaine, and some killed and taken prisoners." In this manner, with the loss of many of his stragglers, he made his way back to Oxford, which he reached on August the 29th. The next day, such was his activity, he was again in motion, at the head of about five thousand men, for Worcester, whence he once more repaired to Ragland.

On learning that Fairfax had sat down before Bristol, Charles detached officers into the neighbouring parts to collect troops for its relief; but before any steps could be taken for this purpose he received the unexpected and overwhelming intelligence of the surrender of the place on the first assault; and calling back his officers to meet him at Hereford, "which," says Clarendon, "was the post

he chose to enter upon new considerations of the desperateness of the condition he was in," he thence addressed to Rupert the following bitter letter.

"Nephew! Though the loss of Bristol be a great blow to me, yet your surrendering it as you did, is of so much affliction to me that it makes me not only forget the consideration of that place, but is likewise the greatest trial of my constancy that hath yet befallen me; for what is to be done, after one that is so near me as you are, both in blood and friendship, submits himself to so mean an action? (I give it the easiest term) such—I have so much to say that I will say no more of it: only, lest rashness of judgement be laid to my charge, I must remember you of your letter of the 12th of August, whereby you assured me that if no mutiny happened, you would keep Bristol for four months. Did you keep it four days? Was there any thing like a mutiny? More questions might be asked, but now, I confess, to little purpose; my conclusion is, to desire you to seek your subsistence, until it shall please God to determine of my condition, somewhere beyond seas, to which end I send you herewith a pass; and I pray God to make you sensible of your present condition, and give you means to redeem what you have lost; for I shall have no greater joy in a victory, than a just occasion to assure you without blushing of my being your loving uncle and most faithful friend[a]."

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[a] *Hist. Rebellion*, v. 252.

The king sent at the same time a revocation of all Rupert's commissions, which he authorized the council at Oxford, whither the prince had retired, to receive from him; directing to them also a warrant for the imprisonment of colonel Lægg, governor of Oxford, a person much in Rupert's favor, and even of the prince himself in case of any tumult:— Measures of rigor and at the same time intimations of suspicion, which, however natural in the unfortunate circumstances of Charles, were generally regarded as not warranted by the circumstances of the case or the characters of the sufferers, and were ascribed to the influence of Digby, the known enemy of Rupert!

After a week of melancholy suspense passed at Hereford, the king took the resolution of marching to the relief of Chester, in which city Byron was again besieged. The vicinity of major-general Poyntz with a strong body of parliamentarians, compelled him to make a circuitous course by Radnor and North Wales; Poyntz in consequence, who followed by the direct road, was able to overtake the king's rear-guard at Routen Heath, within a few miles of Chester, and with the assistance of a detachment from the besieging army to place the royal troops between two fires. The king, after a temporary success, was in consequence repulsed with great loss and compelled to retreat to Denbigh. By the advice of Digby, almost the only privy councillor who still attended upon his person, he was moved to select Newark as his next station, which,

by unknown ways and many late and dark marches, exposed to constant fatigue and many hardships, he at length reached in safety on October the 14th.

The gallant cavalier sir Henry Slingsby, who with his troop of northern horse accompanied his master from Oxford to Naseby, and afterwards attended all his motions till his second departure from Newark, supplies in his diary some characteristic traits of the king's behaviour. He describes him at Oxford as very vigilant and exact in viewing the works and ordnance, early and most punctual in his hours; in marches hardy and patient of weather. At Ragland he was exact in his attendance at church, and would also have his Tuesdays' sermons. The only great severity he ever witnessed in him was hanging a soldier for stealing a chalice out of a church. At Radnor he was compelled to enter with two or three officers a humble house of entertainment where the rustic hostess bluntly demanded whether he had done with the cheese, as several other gentlemen were wanting it. In the action of Routen Heath, the king's person was in great danger, and his cousin the earl of Lichfield, son of lord Aubigny, whom he loved, was slain; but the king, says Slingsby, "was imperturbable in good or ill, and showed no grief."

Soon after his arrival at Newark, a flying rumour that Montrose having defeated Lesley was again advancing towards the English border, enticed the king to make one more effort to effect a junction with him, and he again advanced northwards as far

as Rotherham. But here becoming sensible of the fallacy of these reports, he determined himself to return, with a slender escort, whilst the remainder of his body of horse, to the number of fifteen hundred men, under the command of lord Digby, should pursue the perilous, or rather desperate adventure, of a march to Scotland. Having thus separated himself from a counsellor whose rash suggestions had often involved him in difficulties even with his own adherents, Charles found himself thrown upon the sole aid of John Ashburnham, who had long attended upon him as gentleman of the bedchamber, with whom he began to concert the means of his safe return to Oxford. But before he could quit Newark a painful scene awaited him.

Rupert, unable to support the disgrace of a dismissal from the service of Charles which would obstruct his reception into any other, was bent on obtaining a hearing in his own defence. For this purpose, in despite of the king's prohibition, he had made his way to Newark accompanied by his brother Maurice and about eighty other military men. Sir Richard Willis, the governor of the place, with lord Gerrard and many officers of the garrison went out to meet him, and the demeanor of the whole party was insolent and mutinous.

The next day the king was prevailed upon to summon a court-martial, and to give his sanction to its decision, that Rupert was innocent of treason or treachery in the surrender of Bristol, but not of indiscretion. This concession, the utmost to which

he could be brought, was far from satisfactory to the prince and his friends, who took no pains to conceal their ill-humour. Charles now took occasion to displace Willis from his government. The same day, whilst he was seated at table, this officer, accompanied by the two princes, lord Gerrard and about twenty more of the faction, burst into his presence, and upbraiding him with inflicting upon him a public disgrace, demanded a public reparation. Rupert said, that Willis suffered for being his friend; Gerrard exclaimed, that it was the work of Digby, who was a traitor, and he would prove it. The king, with violent indignation, commanded them all to depart from his presence, and never more to come into it. They retreated in confusion, but in the evening sent a demand that the king should either bring Willis to a court-martial, or send passes for themselves and as many horse as should desire to accompany them. Charles embraced the latter alternative, and the next day Rupert and his whole faction departed, two hundred in company, to Belvoir castle, where they stood on their defence till they had obtained passes from the parliament to quit the kingdom, granted on condition of their no more bearing arms for the king.

Besides the grief which behaviour like this, on the part of nephews whom he had so loved and favored, was fitted to inflict upon the unhappy Charles in the midst of his other adversities, the delay which it compelled him to make at Newark added formidably to the perils of his meditated escape. Poyntz and

Rossiter with their troops drew daily nearer, and so hemmed him in that they believed they had now rendered his passage impracticable, and the Scotch, horse under David Lesley were about to join them. By a march, however, commenced in the night, conducted by able guides with much skill and celerity, and protected by a body of about five hundred cavalry, he succeeded in withdrawing himself unobserved, passed in safety between the hostile garrisons, and after two arduous days' travelling found himself once more within the gates of Oxford, where he could at least repose from his fatigues, disappointments and disasters, in present security, cheered by the society of such a court as he could still command.

Rupert, it should be mentioned, struck with compunction, instead of quitting the kingdom repaired to Woodstock, whence he addressed to his injured uncle a humble acknowledgement of his fault and request for pardon.

That the king was permitted to enjoy even a brief respite, is to be ascribed to the resolution of the parliament that the war should be effectually and finally extinguished in the West before the strength of their main army were turned against Oxford, which had been rendered one of the strongest fortresses in the kingdom. With this object Cromwell had been occupied in reducing, one after another, all the royal garrisons between London and Exeter; and the prince, by his father's secret orders, held himself in readiness to embark for France,

Charles was in no condition to profit by this disposal of the hostile forces. As a last resource, his council suggested an attempt at negotiation, grounding their advice upon "Reasons" which well explain the desperate state of his affairs, and the distresses of the country at this crisis; they are as follows:

"That his majesty hath no army at all, nor any forces but what are in his garrisons; no means or money either to satisfy or keep his officers, or to supply or pay his garrisons, but the contributions of the country; which being wasted by the soldiers of both sides, and extremely disaffected, are ready every day to rise against his majesty's garrisons, as being not able any longer to undergo the heavy pressures which the necessities of his majesty's soldiers, and the avarice of his majesty's governors, daily puts upon them." That his majesty begins to be in want of arms and ammunition, having no means, since the loss of Bristol, of being supplied from abroad: That there are no means of raising an army for the next spring, all Wales having been lost presently after the fall of Bristol, and Monmouth and Hereford since, Chester being in imminent danger, and Newark and Belvoir likewise besieged and in danger: That in the West there are five or six thousand horse and foot, "but there are so great divisions amongst the chief officers, and the council that attend the prince, as for want of conduct those forces are so disunited, and the country so disaffected to them by reason of the soldiers' rapine and oppression, as the country rises against

them, whensoever they come into any place not in a body, and the country is so wasted as it cannot feed them when they lie together in a body." That "the Cornish will not be drawn further than Devonshire:" That Exeter is "close begirt" and not provisioned for many months: That the king now possesses no port but Dartmouth, and that troops have been marched to block it up: That Fairfax and Cromwell have lately sent near fifteen hundred of their best horse into the neighbourhood of Plymouth, which shows that they are much too strong for the king's forces in those parts: That the western horse are drawing towards Oxon, and are to join with other forces coming from London under colonel Rainsborough, and all that can be spared from Coventry, Warwick, Gloucester, Northampton, and out of Buckinghamshire, (which it is believed will in all make no less than eight thousand, and four thousand horse and dragoons,) and are designed presently to block up Oxon at a distance: That "Dennington castle is blocked up by forces that lie in Newbury and the country thereabouts. That whilst this was his majesty's condition in England, "there was no peace concluded in Ireland, nor any considerable forces possibly to be drawn from that kingdom, in any time to assist him:" That Montrose was still in the Highlands, or no nearer than Glasgow, and in what condition his majesty is not certainly assured, so that there is little hope of timely aid from him: That "from France or Holland there comes nothing but fair and fruitless promises, they

not having all this time afforded his majesty any considerable assistance, nor so much as publicly declared against those at London[a]."

Even for negotiation, although obviously the only resource remaining to Charles, the season was in many respects unpropitious. In the new elections which had supplied the vacancies in the house of commons, the presbyterians, pledged by their covenant to regal government, had been generally unsuccessful, whilst numbers and courage had been added to the independents, who beholding their own army in the full career of victory, were much more disposed to push their advantage to the utter overthrow of the king and of monarchy, than to restore both by a compromise. It had been observed that the commissioners formerly sent by the king had made it their business, under cover of negotiating, to collect intelligence, to sow dissensions, and to carry on intrigues; and a resolution had in consequence been passed during the last autumn, that no more of these emissaries should be admitted. In consequence the application now made by Charles for safe-conducts for two noblemen met with a stern rebuff. The king was at the same time informed, that the parliament had for some time occupied itself in drawing up propositions in the form of bills, to be offered to him for his assent. Little expectation, however, was probably entertained that he could be brought to acquiesce either in the contents

[a] *Clarendon State Papers*, ii. 198.

of these bills, which were in some points more severe than the Uxbridge articles, or in a form which would preclude him from all opportunity of raising debate, employing chicane, and introducing phrases of designed ambiguity. Baffled in his first demands, but desirous of still protracting the discussions, in the double hope of gaining over the feelings of the people to his side, and of improving to his advantage the augmenting dissensions of his adversaries, Charles now, with the concurrence of his council, made to the parliament a bold and extraordinary proposition. He required to be admitted by them to a personal treaty, and for that purpose to be received into London with three hundred followers under the guarantee of both houses of parliament, of the Scotch commissioners, the corporation of London, and some principal officers of the English and Scotch armies: He demanded that the negotiations should be continued for forty days, and that should they not terminate in an agreement, he should then be allowed to repair to any one of his principal garrisons, Oxford, Worcester, and Newark.

A proposal like this, although it might appear in Charles the prompting of despair, had in it something adapted to give a strong alarm to his adversaries. The spectacle of their lawful and anointed king, now vanquished and disarmed, coming to beg for peace of his parliament and subjects, was one which must appeal to the passions of the people with a force scarcely to be resisted;—his secret ad-

herents within the City would not fail to take advantage of the returning tide of loyalty, and it might well happen that he who had entered as a suppliant might remain as a master. The hazard was at all events one to be deprecated and shunned; and the king's demand was promptly and decidedly rejected, with a reference to the bills which the two houses were busied in preparing to present to him.

To counterbalance any advantages which Charles might have gained in public opinion by the apparent frankness of this proceeding, the parliament now brought forward against him a fatal document which a remarkable incident had some weeks before thrown into their possession: The circumstances were these.

The catholic archbishop of Tuam, in his way to visit his diocese, had met with a party of rebels marching to besiege Sligo, whom he joined. By a sally of the English garrison these assailants were totally routed, and the archbishop, amongst others, was slain. In his coach, which fell into the hands of the victors, was found a duplicate of the treaty secretly concluded by Glamorgan on the king's part with the council of Kilkenny, by which complete religious liberty, and the permanent possession of all the churches which they had converted to their own use since the rebellion, were conceded to the catholics, on condition of an army of ten thousand men to be sent by them to serve his majesty in England, Wales, or Ireland. This piece, together with some important political letters, was imme-

diately transmitted to the English parliamentary leaders, by whose order it was now printed.

Almost at the moment of this disclosure in England, lord Digby, baffled in his attempt to reach Montrose, had abandoned the remains of his troops and made his escape to the Isle of Man, whence he proceeded to Dublin. Here he obtained information of the negotiations carried on by Glamorgan, which the king had carefully concealed even from this favorite counsellor; and desirous to save the credit of his master, and possibly at the same time to revenge upon him his double dealing, he, as secretary of state, in concert with lord-deputy Ormond, who was equally left out of the secret, caused Glamorgan to be committed, on suspicion of high-treason. At the same time he boldly declared all the commissions produced by Glamorgan to be either forgeries, or instruments fraudulently obtained, or that at least they must have been limited by further instructions, and declarations of his majesty's intentions: "for," he said, "most confident he was, that the king, to redeem his own life and the lives of his queen and children, would not grant unto them the least piece of concessions so destructive both to his regality and religion[a]."

Glamorgan submitted to his imprisonment like one who well knew, as he wrote to assure his lady, that he had nothing to fear; it was in fact part of his engagement, to bear upon occasion the whole

[a] Birch's *Inquiry*, p. 93.

reproach of these negotiations, or intrigues. But in vain was this devotedness on his side: in vain did Charles himself accumulate protestations and official disavowals; the authenticity of the treaty and the commissions continued to be believed by men of all parties, especially when they saw Glamorgan speedily liberated, and again busied in the king's service; and this deepest wound to the character of Charles in the estimation of his protestant subjects, remained rankling and incurable.

By the same message which conveyed to the parliament the king's denial of having ever commissioned lord Glamorgan for any purpose beyond the levy of troops, he avowed that he had empowered Ormond to treat with the rebels for a peace, but offered, in case of his being admitted to a personal treaty, to leave the concerns of Ireland entirely to the management of parliament and conclude no pacification but by their consent. He likewise advanced so far beyond his Uxbridge terms, as to concede all that had then been required concerning the militia, to allow the parliament for the present the nomination of the lord-admiral and great officers of state, to appoint judges during good behaviour, and to offer a general act of oblivion to be passed, on the conclusion of peace, by the parliaments of England and Scotland. But nothing would tempt the parliamentary leaders to meet his advances; they did indeed consent to draw up certain preliminary articles on assenting to which he might be permitted to come to London; but the business pro-

ceeded tardily, and they were never in fact offered to his acceptance.

In the meantime ruin was advancing upon Charles with accelerating strides. The arrest of Glamorgan had impeded the embarkation of the Irish troops, and the subsequent disavowal proved an insuperable obstacle to the resumption of the design. The pope had lately been prevailed upon to advance some funds, and to promise more, for the purpose of conquering England from the puritans by means of an army of English and Irish papists and of restoring Charles to his throne, and he had sent a nuncio to Ireland to preside over this and the other affairs of the council of Kilkenny. But the papists had no better reason to confide implicitly in the good faith of the king than any other of the various sects and parties with whom the events of his reign had brought him into communication; and the nuncio prudently required that the articles in favor of the Romish religion secretly assented to by Glamorgan, should be publicly ratified with the rest of the treaty before the supplies of men and money should be placed at his majesty's disposal. The late transactions plainly evinced that either fear or shame would restrain Charles from giving this pledge to the pope; the Irish peace was in consequence delayed, and Digby expressed his belief and his hope that this dangerous negotiation, which could not fail to ruin the king in his British kingdoms, would finally break off.

In England disaster succeeded to disaster. Ches-

ter surrendered early in the month of February 1646. The dispirited, mutinous, and dissolute army of the West, which Hopton, with a generous loyalty, had consented to take under his command, after other officers had declined the arduous and inglorious task, had been gradually driven into the extremity of Cornwall, where Fairfax pressed upon it, offering at the same time liberal terms of capitulation. These were accepted; the troops disbanded about the middle of March, and Hopton himself embarked to join the prince of Wales, who had already sailed for Scilly under the immediate apprehension of being given up by some of his own officers to the parliament.

The king had still a body of three thousand horse shut up in Worcester, with which he commanded sir Jacob Astley to endeavour to make his way towards Oxford; and he sent out from that garrison about fifteen hundred men to meet him, hoping with this united force once more to take the field and wait on fortune. But Astley was separately attacked on March the 21st at Stow-on-the-Wold, defeated after a gallant resistance, and made prisoner with sixteen hundred of his men. "My masters," said this frank soldier to his captors, "you have now done your work and may go play; unless you please to fall out amongst yourselves."

He was right: in the dissensions of the army and the parliament was now the sole remaining hope for the king; and this hope he was still striving to improve by the whole art of intrigue practised simultaneously upon all sects, all parties, all leaders who

were willing to engage him at the subtle game in which he imagined himself unrivalled.

With the chiefs of the independents, Cromwell, Ireton, and Vane, Charles had already been tampering, at the suggestion of some of his emissaries that these individuals would not be averse to the restoration both of monarchy and episcopacy provided their own fortunes were secured. But these attempts were speedily abandoned; in the opinion of Clarendon each party was deceived as to the points which the other would demand or concede: their principles and aims being in fact absolutely incompatible and irreconcilable. Sir Henry Vane, in particular, in the discussion of terms which he carried on for some time with the king, is thought to have had no other view than to divert him from forming a coalition with the presbyterians before the arrival of Fairfax should place his fate at the disposal of the independents and the army.

It was an encouraging circumstance to Charles that the brotherly alliance between the Scotch and the English parliament was at this juncture seriously menaced with a breach. The English complained, and not without plausible grounds, that their auxiliaries, since they had passed the border, had performed no service worthy of their hire or answerable to their engagements, and that by exactions and free quarters they had grievously oppressed the country. The Scotch, on the other hand, murmured against the tardiness and insufficiency of the supplies of all kinds furnished to them, the arrear

into which their pay had fallen, and the partiality shown in all these points to the English army under Fairfax; and it was not without considerable urging, and some advances of money, that Lesley and his men had been prevailed upon to sit down to the blockade of Newark instead of pursuing their march northwards. Their lay commissioners were offended to find themselves less and less influential in the conduct of affairs in proportion as the cavaliers ceased to be formidable in the field, and the independents became preponderant in the army and the house of commons; and their clerical delegates vainly remonstrated against the reluctance evinced by their allies to perfect the presbyterian establishment, and effectually to suppress the sectaries, by arming the church with the sword of excommunication.

In the midst of these contentions, the propositions to be submitted to the king experienced great delay; and Charles, weary of expecting them, sent to the parliament, on March the 23rd, to offer that, on condition of receiving the pledge of the two houses for the safety of his person, honor and estate, with an engagement for his adherents to reside in safety on their own property without being required to take any oaths not enjoined by the known laws of the land, he would disband his troops, dismantle his garrisons, and come to live with them. He at the same time suggested a general act of oblivion. These, as the parliament might justly think, were not terms to be granted by the victors to the

vanquished: they regarded the king's proposal of coming to London with a well-founded jealousy: it was observed that the town was already filling with royalists and malignants; and dreading lest he should put his project in execution without awaiting their sanction, they passed an ordinance empowering the committee of militia, in the event of the king's coming within the lines of communication contrary to the advice of parliament, to levy a sufficient force to prevent or repress tumults, to apprehend any who should come with him, to prevent resort to him, and "to secure his person,"—the house of lords added, "from danger." By these decided measures a favorite hope was cut off from Charles, concerning which he had thus expressed himself in a letter to Digby a few days previously: "I am endeavouring to get to London, so that the conditions may be such as a gentleman may own, and that the rebels may acknowledge me king, being not without hope that I shall be able so to draw either the presbyterians or independents to side with me for extirpating one the other, that I shall really be king again. I will conclude with this assurance, that, whatsoever becomes of me, by the grace of God I will never forsake the church, my friends, nor my crown[a]."

The French court was at this time disposed to exhibit some apparent sympathy at least for Charles in his distress, and before the conclusion of the year

[a] Carte's *Life of Ormond*, vol. iii. No. 433.

1645 an agent of the name of Montreuil had arrived in London, charged to exert in his behalf that interest which France had constantly possessed with the Scottish nation, and to improve the overtures made by David Lesley and others to the king. This envoy never ceased representing to Charles the necessity, in his present extremity, of granting speedily and with a good grace to the presbyterians of both countries all the terms which they demanded for their religion, in consideration of which he had no doubt that they would cordially unite to restore him to his throne on equitable and even favorable conditions. He pleaded, that no scruples of conscience could reasonably interfere with this concession, since these religionists asked from the king nothing but a confirmation of that form of church government which was in fact already established without his consent in England as well as in Scotland, and that it was only by reinstating himself that he could hope ever to perform any service to episcopacy. He ventured likewise to point out to his majesty the extreme danger of the system which he had adopted of carrying on at the same time negotiations with the different parties for incompatible and indeed opposite objects. By endeavouring thus to win both parties, he told him that he was in danger of losing both; for that whilst none of the boons, other than religious ones, which he offered to the Scotch had any power to conciliate them, these very things extremely irritated the independents; whilst the indulgence which he offered to the con-

sciences of these latter displeased the presbyterians, without satisfying the independents, who were still more desirous of emancipation from civil than from ecclesiastical government, and would never be satisfied till they had reduced everything to a state of anarchy. He added, that there was little likelihood that his majesty would be able to avail himself of the succours of his neighbours unless he agreed with the Scotch; for that the appearance of foreign force would unite by the fear of a common danger those parties whom good success had now set at variance, and of whose divisions it was his part to take advantage[a]. But no representations could induce Charles to forgo that habit of intriguing which had become a part of his nature; and he continued to negotiate with both parties, and to balance between them till he was entangled in the toils all but inextricably. Montreuil, however, would not give up his point, and he obtained towards the latter end of March a passport for Oxford, where he prevailed upon Charles to give him authority to negotiate with the Scotch the terms on which he would consent to repair to their army besieging Newark; the agent pledging the faith of the king and queen regent of France, that he should be received by them as their natural sovereign and "be with them in all freedom of his conscience and honor." On arriving before Newark, Montreuil found the Scotch commissioners attending the army there

[a] *Clarendon Papers*, ii. p. 214.

less favorably disposed to the king, who still refused to yield the point of religion, than those with whom he had treated at London; and doubting much whether it would be in his power to make good what he had himself promised respecting his majesty's reception, he wrote to secretary Nicholas on his return to the capital somewhat dubiously respecting the expediency of his going thither. The Scotch, he said, would send a body of horse to Burton-on-Trent to meet his majesty, but no further; as to terms, they did not wish to be joined by any troops who had borne arms on the royal side, (especially they would not coalesce, as the king had vainly hoped, with the object of their horror, Montrose,) nor would they admit among them any cavalry who might accompany him; they would receive in his train no persons excepted from pardon but the two Palatine princes and Ashburnham, and even these must retire if demanded by the English parliament; and they desired that his majesty would consent to establish presbytery as soon as possible. This, he added, was all the account made by the Scotch of his master's engagement and their promises to himself in London;—he could extort no more after long debates; even this was a great mitigation of what they said at first. If his majesty had any resource for obtaining better conditions, he ought not to think of these; but if all were desperate in other quarters, and neither his majesty nor his servants could be secure with the English parliament,—he would venture to answer for it that he might be

with the Scotch, not perhaps with perfect satisfaction, but at least with all possible safety[a].

This appears to have been the Scotch ultimatum; but there was now little room for further hesitation on the part of Charles except as to the practicability of an escape, for Oxford was now "very straightly blocked up," though at some little distance, by at least three thousand horse and two thousand foot, and Fairfax and Cromwell were marching up with the remainder of their forces. The king determined to attempt the hazardous enterprise, and for the means to repose upon the fidelity and address of Ashburnham, from whose narrative, composed for his own justification, the following particulars are collected.

By the month of April 1646, his majesty's forces being "reduced to the last period," and Oxford invested, it was judged necessary, as well for the sake of the "faithful remnant" there as for his own safety, that the royal person "should not be liable to the success of an assault;" and three plans for avoiding it were submitted to the council:—that he should enter into terms with some chief officers of the army;—that he should break through the besieging host and "make tender of his person" to the parliament;—and that he should escape beyond sea either into France or Ireland. The first design was thought proper to be attempted; the second was judged by most of his council to be "an action

[a] *Clarendon Papers*, ii. p. 221.

of great resolution, and probably hopeful, though in regard of the danger that might happen to his person in his passage to London, none of them would advise him to it. The last was totally rejected, as a thing in no wise councilable, not only in regard of the misbecoming his majesty, to quit his party in that faint seeming way, but principally because France and Ireland were both in that extremity as he could not in any reason expect relief from either; the former being embarked in a sharp and tedious war with Spain, and the other so far reduced by the parliament's forces, as that the strength then left under his majesty's command was wholly employed in preserving themselves from the visible danger which the power of the parliament was daily necessitating them to fall into."

In the midst of these deliberations Montreuil arrived, charged by the Scotch commissioners in London to "comply with the king in all things he should desire, so as he could dispose his majesty to go speedily to their army."

When the king, after discussing the securities he should require, sent the French agent to negotiate with the leaders of the Scotch army, and especially to demand that a body of horse should be sent as far as Gainsborough to meet him, he resolved, that if in the interim he could by any means obtain reasonable terms either from the parliament or the army, he would not desert them to go over to the Scotch, "who had been such unhappy instruments in divisions between him and his subjects here."

But his overtures being rejected by the parliament, and attempts to corrupt the fidelity first of Rainsborough and afterwards of Ireton proving abortive, his majesty "settled his thoughts upon his journey to the Scots army," and he mentioned to some of his council his intention of leaving Oxford; but "conceiving that most of them would have opposed with some unseasonable heat his conjunction with the Scots," he "chose rather to put the design of London upon it."

To Ashburnham he communicated all these circumstances, commanding his particular attendance, and leaving the "managery" of the expedition to his care. The narrator contents himself with saying on this subject, that in obedience to his majesty's pleasure he performed his duty, and that with humble acknowledgements to God's protection, "after nine days travel upon the way, and in that time having passed through fourteen guards and garrisons of the enemy's," they arrived safe at the Scotch army, where the king took up his quarters at the house of Montreuil[a]. The particulars of the royal journey as derived from other authorities are as follows.

About midnight on April the 27th, the day on which Fairfax had reached Newbury, the king in disguise and accompanied only by Ashburnham, whose servant he personated, and by Dr. Hudson,

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[a] See *A Narrative* by John Ashburnham, &c. published by the earl of Ashburnham: 2 vols. 8vo, London 1830.

a divine, whose knowledge of the by-roads qualified him to act as a guide, quitted Oxford. From the account of Hudson, who was afterwards taken and examined by the parliament, it appeared that they took their way by Henley and Harrow-on-the-Hill, where they stayed some time, and whence the king might catch a distant view of that capital which he longed but feared to enter. On approaching St. Alban's a drunken man riding violently along the road put them in fear that they were pursued. From that town they proceeded out of the common road to Harborough, where Montreuil had promised to Hudson that he would meet the king, but failed; on which account Charles dispatched Hudson to him and went himself to Stamford, and thence to Downham in Norfolk, where he remained four days waiting for the return of his messenger, and as appears from other authorities, still doubtful of his future course, after which he proceeded to the lodgings of Montreuil at Southam, and thence, on May the 5th, to the quarters of the earl of Leven.

Many lords, Ashburnham relates, came instantly to wait on his majesty with professions of joy that he had honored them by coming to their army, after so long an opposition, and desiring to know how they should evince their gratitude towards him. The king answered that he should be fully satisfied if they would only apply themselves cheerfully to the performance of the conditions on which he had come to them. At the mention of conditions lord Loudon seemed surprised, and declared that he had

no knowledge of anything of the kind, nor, as he believed, any of his brother commissioners. Charles appealed to Montreuil, who referred to an agreement made by him with the commissioners at London. Loudon and the rest replied that they were a separate body and not bound by what had passed with them. His majesty then demanded how they came to invite him thither, and to send him word that all differences were reconciled, and said that David Lesley was to have met him with a body of horse. They answered that it was very true; that they approved of his coming to their army, believing that he meant only to make it the place where he would settle terms of peace with both his kingdoms. In short such, we are told, was the indisposition of Loudon, who was president of the council and had great influence among his countrymen, towards the king, that "he would never suffer any discourse to be made to his majesty, other than the taking of the covenant, and subscribing all the nineteen propositions for the satisfaction of both kingdoms; things that as they were most distant from his majesty's resolution, being most averse to his conscience and honor, so they were most unexpected from persons so highly favored by the great adventures he had undergone for them."

"To this usage they presently added restraint to his person, setting strict guards upon him, and grew in all things so rigid and severe, as to me there seemed little distinction, either in discourse or any part of the entertainment, between his majesty and

his subjects." From these proceedings, our author adds, his majesty plainly discovered that they meant to elude all performance of the treaty, as being ignorant of what had passed with the London commissioners; although he is himself convinced that all was carefully communicated and managed between them, Montreuil having mentioned in one of his letters to the king that the chancellor of Scotland, chief commissioner at London, had given a meeting about Northampton to the commissioners of the army and fully satisfied them in all particulars of the treaty, whence he confidently anticipated a happy termination. But Ashburnham here forgets, if he ever knew, the circumstance that Montreuil afterwards retracted this sanguine view of the business, and explicitly stated to Charles, as we have seen, that personal safety was all that he could absolutely rely upon in the Scottish camp; and even for this he had clearly no written engagement.

Meantime, the parliamentary commissioners attending the English army which was blocking up Newark on the other side, being informed of this important arrival by the Scotch commissioners, who affected to have been utterly unprepared for such an event, desired a conference with them, in which they demanded that the person of the king, and Ashburnham with him, should be given up to them, as the only convincing proof which could be afforded to the parliament that he had not come thither by some private invitation. The Scotch pleaded that they "could not in honor give up any

man who came to them upon trust and confidence, as his majesty had done; yet hoped they should be better understood by the parliament of England, than to conceive they had any hand in that action, other than by such opportunities to work the wished for designs of both kingdoms in relation to church and state." Notwithstanding these fair professions, "the English commissioners parted with them altogether unsatisfied, which struck no little terror into the Scots," insomuch that at their return they addressed themselves to the king in a milder and more respectful manner, intimating that on a meeting of the Scotch nobility with the commissioners, those things which his majesty insisted to have been the terms of a past agreement might probably be consented to; on which account they proposed to march to Newcastle, where the lords were all to assemble. To facilitate this remove, they desired that he would send to lord Bellasis to surrender Newark to the English. The king although aware, says Ashburnham, "that the true ground of that proposition was their fears that the English should rise from the siege and follow them in the rear, was pleased with their altered tone," and thought it best to oblige them in this matter. He retained however so deep a sense of his misfortune in putting himself in their hands, that he continued to meditate another remove. With this view he directed Ashburnham to procure if possible a meeting with any one of the parliamentary commissioners attending the English army with whom he might be

acquainted, when he should be empowered to propose terms of honor and safety on which his majesty would consent to give himself up to them. Ashburnham made application accordingly to Mr. Pierpoint; but this gentleman would admit of no discourse with a person proscribed by the parliament. The king, therefore, had no alternative but to proceed with the Scotch, by whom he was now respectfully treated, to Newcastle; where he arrived on the ninth day after his appearance in their camp before Newark.

Ashburnham informs us, that a despair of ever regaining the affections of his people, to whom he had been as he complained so cruelly calumniated, had often before this time led the king to meditate an abdication in favor of his son. This was however a measure which, advisable as it might be, he did not choose to have forced upon him, and probably for that reason chiefly, he showed extreme anxiety to preserve the prince from falling into the hands of the parliament. Previously to his escape from Oxford he wrote to the queen, that if their son were not already with her she should lay upon him their joint and positive commands to come immediately, adding, "For whether I save myself or be taken prisoner, my son can be nowhere so well for all the reasons I have to look upon, in consideration of thee, myself and him, as that he should be now in France[a]." Afterwards, learning that the

[a] *Clarendon Papers*, ii. p. 230.

lords of the prince's council still detained him in Jersey, in a letter to the queen from Newcastle he thus inforced his injunction. "I think not prince Charles safe in Jersey, therefore send for him to wait upon thee with all speed; for his preservation is the greatest hope for my safety; and in God's name let him stay with thee, till it is seen what ply my business will take. And for my sake let the world see that the queen seeks not to alter his conscience[a]."

The prince's council, however, were so strongly and justly averse to trusting the heir of the English throne in a catholic court and under the guidance of such a mother, that they interposed all possible delay to the execution of these orders; and when at length Jermyn and Digby arrived from the queen and gained the consent of the youth to go with them, Colepepper alone chose to accompany him; lords Berkshire, Capel and Hopton, and sir Edward Hyde desiring him to excuse their attendance; a desertion which, on the part of Hyde in particular, to whom he had more especially committed the care of his son, was learned by the king with much concern and displeasure. For the whole of the two eventful years which followed, the future earl of Clarendon remained tranquil in Jersey, composing his history, but under the disadvantage of being no longer either a participator or an eye-witness of those memorable events which he made it his business to record.

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[a] *Clarendon Papers*, ii. p. 239.

CHAPTER XXIX.

1646. 1647.

Parliament jealous of the Scotch.—The king directs Oxford and his other garrisons to capitulate.—Lenient treatment of the royalists.—Parliament prepares fresh articles of treaty.—Claims of the Scotch.—Averseness of the king to grant them.—His deceitful conduct.—His transactions with different parties.—Letter to Glamorgan.—He refuses the terms of the parliament.—They negotiate for the surrender of his person by the Scotch.—Extracts from the king's correspondence with the queen and others respecting the church and the terms of peace.—The queen threatens to go into a convent.—Various intrigues for the king's restoration.—The queen dissuades the king from escaping out of the kingdom.—Proceedings of the Scotch parliament and general assembly.—Treaty between the Scotch and English for the delivery of the king's person.—He attempts to escape.—Is conveyed to Holmby.—State of the presbyterian and independent parties.—The king removed from Holmby by cornet Joyce.—He attends the marches of the army.—His vow respecting church property.—He is conducted to Hampton-court.

ON the first news of the escape of Charles from Oxford, the parliament, ignorant of the course he had taken, and apprehending London to be his object, where he had numerous adherents, manifested its alarm by publishing an ordinance denouncing the pains of treason against any who should harbour, conceal, or not immediately reveal, what they knew concerning him. Nor were these apprehensions calmed by the intelligence of his

having taken refuge in the camp of the Scotch, with whom the antipresbyterian party in the house was at this time on the worst terms short of actual hostility. It was carried in the commons, but negatived in the lords, that the king's person should be demanded of them "to be disposed of to such place as parliament should appoint," and Warwick castle was named. There was also a proposal that Fairfax should be ordered to break up from before Oxford and march against Leven; and although the commissioners in London found means by their representations and professions so far to appease suspicion as to divert this storm from their people, they found themselves exposed to many slights; their correspondence with their own country was intercepted and examined, and it was voted in parliament that this kingdom had no further need of the continuance of the Scottish army in England.

The first request made to Charles by his new hosts was, that he would pacify their country by commanding Montrose and the other royalist chieftains to disband, to which he consented, and that leader repaired to Paris. They next conciliated the parliament and people of England by obtaining from him a circular order for the surrender of his few remaining places of strength in that kingdom, Oxford being of the number. Liberal terms, suited to the mild temper of Fairfax, were granted to all these garrisons and their officers, which were most faithfully and honorably observed.

The royalists, with very few exceptions, were per-

mitted to compound for their estates on moderate terms; and not a single individual suffered on the scaffold for any acts done in prosecution of the great civil contest which was thus, after four years of severe and sanguinary conflict, brought to a conclusion, without treaty or compromise, by the ruin, the dispersion, the utter prostration of the vanquished party. The annals of the world might in vain be challenged to produce a parallel example of lenity and moderation. To conquerors like these, unconditional submission would have been the true policy of Charles; but we have seen his own confession, that not peace to a bleeding country, but a final triumph to his own claims, through the dissensions and mutual destruction of the two parties who had resisted him, was still his aim and end; and this therefore appears to have been the only practicable course which never suggested itself to his mind. He still demanded terms, and the parliament prepared, but tardily, and amidst many distractions, to submit a fresh list of propositions for his assent.

In the mean time the discussions and negotiations of the different parties became daily more eager and more intricate. The Scottish people very reasonably resolved that if they were to grant protection to their native prince in his adversity, to treat for his restoration, and still more, to expose themselves in his cause to the hazard of a struggle with the English army, illustrious and formidable by so many victories, it should at least not be without the full concession on his part of those points for the

sake of which themselves and their brethren, the presbyterians of England, had originally taken up arms against him. They required, in short, that he should submit to the covenant, and that, in England as in Scotland, he should sanction the establishment of presbytery on the ruins of episcopacy. As yet he had given them nothing more than the vague promise to grant as much on these heads as his conscience would allow, combined with the offer to lend a willing ear to the arguments which should be offered on the disputed points.

Next to giving himself up to the independents, for which he had suffered the best opportunity to escape him, apparently the most promising course for Charles would have been to throw himself frankly into the arms of the presbyterians, and conciliate them by full concessions: but indefinite and fallacious hopes of succours from some friendly quarter,—of dissensions among his enemies,—of some favorable turn of events,—a confidence in short in Cæsar and his fortunes, cooperating with a rooted hatred of the presbyterian discipline and everything connected with it, as at once heretical and antimonarchical, still prompted him to refuse compliance.

If, as is probable, this pertinacity bore to himself the respectable aspect of a scruple partly conscientious, partly founded on a sense of what was due to the kingly dignity and the interests of his successors, it was by no means regarded in the same light by the party with which he was treating. "Though

he should swear it," writes Baillie to his friend Henderson, "no man will believe it, that he sticks upon episcopacy for any conscience[a]." In another letter, dated from London so early as May 19th, the same sagacious observer thus recurs to the subject, with too true a presage of the final result. "There is much talk here by all sorts of people of the king's obstinacy; that he is the longer the worse, and refuses all reason. The faction [meaning the independents] rejoices therein. This disposition contributes exceedingly to their wicked design, All our friends are very sorry for it..... Our perplexity for him and ourselves for the present is very great. If he would do his duty in spite of all knaves, all would in a moment go right; but if God have hardened him, so far as I can perceive, this people will strive to have him in their power, and make an example of him. I abhor to think of it, what they speak of execution. Every hour of his delay gives advantage to these men, who make it their business to steal votes every day, to engage the nations, and to make him irreconcileable. It has been his constant unhappiness to give nothing in time. All things have been given at last; but he has ever lost the thanks, and his gifts have been counted constrained and extorted. If Ashburnham be kept, we will not be able to abide this people's clamours. But enough of this: A blind man sees,

[a] Baillie's *Letters*, ii. 205.

that if he resolve to play the madman longer, he will be forced to do it within narrower bounds[a]."

Blind to the precipice on which he stood, the unhappy king was seeking all artifices for delay, and in the mean time drawing out the threads of many a tangled web. In the middle of May, Ashburnham, who had been secretly admonished that the Scotch council was meditating to send him under guard to London as the parliament required, took his departure, first for Holland, where he was to raise further sums on the crown jewels, whence the king charged him to proceed for Paris, with secret directions to the queen concerning the measures she was to take for his deliverance. A fortnight afterwards, finding another safe hand, Charles addressed a letter to her, to his son, and to the members of her council at Paris, declaring that the Scotch had used him cruelly; that they had broken their promises to him, and would allow none but such as had been actively his enemies to approach him. On this account he warned those to whom he wrote that they were to consider this as his last free direction to them; and that they were henceforward to follow up such former orders as he had given them, and to take the directions of the prince in other matters for the good of the crown and state, regardless of any commands which might be obtained from him under his present constraint,

[a] Baillie's *Letters*, ii. 209.

unless expressed in cipher by his own hand. More especially the Irish pacification, on which he believed his welfare greatly to depend, was on no account to be broken[a].

A few days after this virtual abdication, he affected to gratify the parliament and the Scotch by giving his sanction to a letter written in his name by the earl of Lanerk to Ormond, directing him to proceed no further in treating with the rebels for a peace, —well knowing that peace to be already concluded. He also consented to hold regular conferences, or disputations, with Henderson, long the most eminent of the Scotch divines, on the contending claims of episcopacy and presbytery.

Nor would the independents by any means submit to take no active part in a game on which they had staked their all. Whilst the parliamentary propositions were concocting, which the presbyterians of both countries, and the king's friends generally, hoped to see the basis of a solid peace, Cromwell and Ireton, with the knowledge perhaps of a few of their most trusted auxiliaries, employed a clergyman,—thought to be the same Hudson who had been the guide of Charles to Newark,—to persuade him to reject these terms, and trust to the generosity of the army for conditions far more liberal, and, in the matter of church government, less offensive to his conscience or repugnant to his political maxims. Several leading royal-

[a] Carte III. No. 463.

ists, particularly the honorably-minded marquis of Hertford, were drawn into a concurrence with them; and the king himself seems either to have actually fallen into the snare, or to have acted from other views as if such had been the case.

To add to the intricacy, Charles was still in correspondence with Glamorgan, whom he had so solemnly disavowed, and through him with the papal nuncio in Ireland; and on July the 20th he addressed to this nobleman the following very extraordinary letter.

"Glamorgan, I am not so strictly guarded, but that if you send to me a prudent and secret person, I can receive a letter, and you may signify to me your mind, I having always loved your person and conversation, which I ardently wish for at present more than ever, if it could be had without prejudice to you, whose safety is as dear to me as my own. If you can raise a large sum of money by pawning my kingdoms for that purpose, I am content you should do it; and if I recover them, I will fully repay that money. And tell the nuncio, that if once I can come into his and your hands, which ought to be extremely wished for by you both, as well for the sake of England as Ireland, since all the rest, as I see, despise me, I will do it. And if I do not say this from my heart, or in any future time if I fail you in this, may God never restore me to my kingdoms in this world, nor give me eternal happiness in the next, to which I hope this tribulation will conduct me at last, after I have satisfied my

obligations to my friends, to none of whom am I so much obliged as to yourself, whose merits towards me exceed all expressions that can be used by, Your constant friend."

A copy of this letter was transmitted to the pope, who is said to have "received great comfort from the reading of it; but at the same time shed tears of compassion for the king's circumstances." Glamorgan also, on receipt of it drew up with the advice of the nuncio a paper of reasons for inviting the king into Ireland according to his desire. Whether the project failed from any other cause than his inability to make his escape thither, we are uninformed[a].

On July the 23rd the earls of Pembroke and Suffolk, with four members of the house of commons, arrived with the parliament's propositions, on which ten days only of deliberation were allowed. These delegates were accompanied by the earls of Argyle and Loudon, who both besought the king on their knees to accept the terms, Loudon adding an earnest and impressive speech, in which he set before him, as the inevitable and fatal consequence of his refusal, the desertion of all his English subjects, who would rise as one man to depose him, and having demanded and received his person from the hands of the Scotch, would proceed to settle religion and the state without him. So far however from being moved by these considerations, Charles returned to

[a] Birch's *Inquiry*, p. 244.

the commissioners an answer both harsh in manner and in substance falling short of the concessions which he had previously made in conversation with various persons. In the end, he presented however a paper to the commissioners reiterating his old proposal, that he should be permitted to come on the faith of parliament to London, or some one of his country seats in the neighbourhood, there to explain his doubts and difficulties on the articles tendered to him, and to make such reasonable demands on his own part as might conduce to a happy and permanent composition of all differences.

When this answer reached Westminster, it was received by the presbyterians with consternation, by the independents with fierce and open triumph; this party moved the house immediately that no more addresses should be made to him, and that the demand of his person from the Scotch should be enforced by Fairfax at the head of his army, and Baillie writes to his friend; "We know not at what hour they will close their doors, and declare the king fallen from his throne."

These extreme measures, however, were successfully resisted by the interposition of moderate men, and the parliament soberly set themselves to negotiate with the Scotch for the settlement of their exorbitant claims for military service, and for the surrender of the king's person, which the two houses were now unanimous in requiring.

The perturbed state of Charles's mind during these transactions, and the inflexibility with which

he adhered to his own "grounds" as he called them, whilst his projects varied from day to day with the shifting scenes of the agitating drama, impart an extraordinary interest to his confidential correspondence at this juncture. In contemplation apparently of the negative which he was to give to the propositions, and of its effects, he writes to Ashburnham, as early as July the 8th, that he must assist the queen in framing an answer to a question which he had put to her regarding his own case; "upon which," he says, "my opinion is, that I am lost if I go not into France before the end of August next; and take heed that I be not believed too late."

Many circumstances lead us to the persuasion that Henrietta dreaded, for reasons peculiarly her own, a reunion with her husband; and her council, consisting of Colepepper, Ashburnham, and her own Jermyn, in their joint answer, by her special desire state with full force all the objections against his attempting an escape. At present, they observe, —contrary to the fact,—that he is no prisoner, but received in that army as king; but that should he be betrayed or detected in an endeavour to withdraw himself, it would so change his condition as their hearts ache to think of. On the other hand, should he effect his escape over the sea in safety, that desertion of his kingdom would give the parliament a fresh and more just pretence for exercising their usurped authority. That her majesty did not, however, by these representations mean to imply that in no case the design should be put

in practice,—on the contrary, should his condition require it, he should receive all possible assistance from France,—but that she would not have him venture suddenly or unadvisedly on any such attempt. At the same time these courageous councillors, themselves at safe distance, highly applaud his determination to grant no terms in any manner derogatory to the royal dignity[a]!

From subsequent letters of the king's it appears, that Colepepper and Jermyn had suggested to him, that whilst he remained steady in refusing those articles which proscribed his favorite adherents or took from him his power over the militia, it might be an easy compromise to yield up the church to the urgency of the presbyterians;—doctrine which he combats with the most persevering energy, as in the following passages.

"This alteration of [church] government..... I believe to be as destructive of the regal power as the quitting of the militia. My reason is, that their doctrine, which is antimonarchical, cannot but be admitted with their government; which is most evident, because all our orthodox divines will be expelled or silenced, and theirs introduced." Of the fact that their doctrine is such as he represents it, he gives this example: "I cannot get here a railing libel answered, written in defence of Lilburn (albeit they all condemn it, because it rails at all government and nobility,) merely because they will

[a] *Clarendon Papers*, ii. 244.

not contradict his ground; which is, that the supreme power is in the people. This being the reason I bolted out of Mr. Henderson, although they pretend other causes publicly.

"... If you think I understand any thing in religion, then believe me that the presbyterian tenets and government are more erroneous than those of the church of Rome, and absolutely inconsistent with monarchy, which I irrecoverably destroy ..... if I introduce that which is so destructive to it. But for all this, endeavours must never be given over for the gaining of the Scots to my side, though I may believe it impossible, no more than [for] the regaining of my rights in my time, which I esteem as desperate; all things being possible with God. For take it from me, the Scots will never declare for me (unless I should make such concessions for the destruction of monarchy, which by the grace of God I never will do,) until a strong visible force appear for me, (which I believe must begin abroad,) of which I have very little hope, at least in time to save me..... I command you to give me your opinions freely, which is less hurt to my crown and posterity, that I be a prisoner within my dominions or at liberty elsewhere, for be confident that one of these must be my case very shortly."

In a subsequent letter, still arguing on the necessity he lay under of refusing that concession regarding the church which, he says, the Scotch thought to use as a shoeing-horn to draw on all the rest, and with reason, for "thereby the doctrine of

rebellion is made canonical, their former acts approved, and mine condemned," he adds. "Besides, how can I keep that innocency which you, with so much reason, oft and earnestly persuade me to preserve, if I should abandon the church? Believe it, religion is the only firm foundation of all power: that cast loose, or depraved, no government can be stable. For where was there ever obedience that religion did not teach it? But, which is most of all, how can we expect God's blessing if we relinquish his church? And I am most confident that religion will sooner regain the militia, than the militia will religion..... Now as to the proceedings here, I have yet no certainty to send you; but there are two things much discoursed, both naught. First, that the London rebels will seek to satisfy the Scots, which is thought no hard work, whereby to make them retire their army and quit their garrisons before they will declare any thing concerning my person. Secondly, their great desire is to make the duke of York king: and albeit hitherto these are but discourse, yet are they not to be contemned. And you will be deceived if you do not expect that the Scots hath not resolved to destroy the essence of monarchy, (that is to say, reduce my power in England to what they have made it in Scotland,) from which nothing can divert them but a visible strong declared party for me, and either [the prince] or I on the head of a good army. And do not think that any other eloquence will make the English or Scots rebels harken to any reason. For the busi-

ness of Ireland alone, which yourselves confess that I must stick to, will hinder all accommodation. . . . . Wherefore my opinion is, that you press France and all the rest of my friends, both to declare for my restoration, and to set some visible course on foot in order to it."

In a letter to his son, dated like the preceding in the month of August, he enforces upon him in the most urgent terms the maxim, that "as the church can never flourish without the protection of the crown, so the dependency of the church upon the crown is the chiefest support of regal authority;" and on this ground he charges him steadfastly to maintain the cause of episcopacy.

The French ambassador Bellievre continued to represent the obstinacy of Charles in matter of religion as the great obstacle to a settlement, and Henrietta and her three councillors persisted to dwell on this point in a strain exceedingly painful to him. He complains that he writes to them with "a sadder heart" than he thought that any of the four could have caused him. "For," he adds, "when those few from whom I can only expect encouragement in my constancy, shall condemn me of willfulness, and by it make me the destroyer of my crown and family, how can you think it possible for me to joy in any thing after this? It is such a grief that must sink any honest heart, and I am sure would soon do mine, if I did not hope, and that shortly, to make you see and confess your error." And he proceeds once more to repeat his prejudiced assertion of the

incompatibility of presbytery with monarchy. There was however truth in his statement that if, in his present circumstances, he should consent to the establishment of that government, it must be either in the form desired by the English, or that desired by the Scotch; and in the first case the church would be rendered dependent on the parliament; in the second, on the people.

In their answer, Jermyn and Colepepper, after assuring him in pathetic terms that "if there were less at stake than his crown, life, posterity, and monarchy itself, with all that ought to be precious to good men throughout all his dominions," they should be for ever silenced, and cease by their vain arguments to add affliction to affliction,—proceed with obvious good sense to observe, that his majesty deals only in objections and negatives, and is so far from proposing any expedient, that should they grant all that he labors to prove, the sole conclusion would be, that his case is desperate,—his ruin irresistible; and that by uniting heartily with the presbyterian party against the independents, he would be delivered from such a dead calm of hopelessness as only a miracle could relieve, and placed in fact in a very promising condition. Having plainly shown that he could hope no cooperation from the Scotch without concession to their religious demands, they proceed thus to combat his objections on this head. "Your first reason is that of conscience; which certainly, if not mistaken, needs not the help of any second. Therefore since we ob-

serve that you have joined other arguments, ... and thereby show us that you do not center only upon this foundation, you do thereby give us the more liberty to offer our sense against it." They express their high approbation of his strenuous efforts to have preserved episcopacy in his kingdom as "that which is the most ancient, reverent and pious government of the church..... But if," they proceed, "by conscience is intended to assert that episcopacy is *jure divino* exclusive, whereby no protestant, or rather Christian church can be acknowledged for such without a bishop, we must therein crave leave wholly to differ. And if we be in an error, we are in good company; there not being, as we have cause to believe, six persons of the protestant religion of the other opinion. Thus much we can add, that at the treaty of Uxbridge, none of your divines then present, although much provoked thereunto, would maintain that, we might say, uncharitable opinion, —no, not privately amongst your commissioners. Neither doth it follow that in this, or any the most rigid sense, you are obliged to perish in company with bishops merely out of pity, and certainly you have nothing else left to assist them with; or that monarchy ought to fall, because episcopacy cannot stand."

To his objection that presbytery is dangerous to monarchy they reply, after assenting to the proposition, that he is far, alas! from having a choice in this matter: "Presbytery, or something worse, will be forced upon you, whether you will or no: .... the

question in short is, whether you will choose to be a king of presbytery, or no king; and yet presbytery or perfect independency to be[a]." .

In this frank and earnest letter the whole reason of the case seems to be embodied, but it proved powerless against the scruples which it sought to overcome. In some observations upon a draught of an answer to the London propositions, sent him by these advisers, Charles still complained, that as they would settle it, it will be in the power of pulpits, without transgressing the law, to dethrone him at their pleasures, at least to keep him in subjection. By making him consent to the permanent establishment of presbytery, he represents them as putting his soul to hazard, and thus remarkably concludes: "Indeed this is a right way to make me a papist. For if I follow your present advices concerning religion, I foresee such a necessity of it, that the time will come when you will persuade me with more earnestness to submit to the pope, than now ye do for my concession to presbyterial government. For questionless it is less ill in many respects to submit to one than to many popes[b]."

The same strain prevails in all the king's following letters concerning this negotiation. Desirous however, of discovering, if possible, a compromise, we find him writing to bishop Juxon, as a person skilled in cases of casuistry, desiring him to advise with the bishop of Salisbury whether he might with a safe

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[a] *Clarendon Papers*, ii. 260, et seq. [b] *Ibid.* ii. 265.

conscience give way to a temporary establishment of presbytery, "with a resolution to recover and maintain that doctrine and discipline in which he had been bred?" He adds; "The duty of my oath is herein chiefly to be considered; I flattering myself that this way I better comply with it, than being constant to a flat denial; considering how unable I am by force to obtain that which this way there wants not a probability to recover, if accepted, (otherwise there is no harm done,) for my regal authority once settled, I make no question of recovering episcopal government. And God is my witness, my chiefest end in regaining my power, is to do the church service."

The proposition was, that religion should remain in its present state for three years, the king and his household being however allowed the use of their old form of worship, at the end of which time it should be finally settled by a committee of both houses, in consultation with sixty divines, twenty to be named by the king, and the rest presbyterians and independents in equal proportions. His majesty's question was answered by the bishops in the affirmative; "rectitude of intention," as they said, "abating much of the obliquity in all actions." But the concession was unavailing; the parliament would abate nothing of a total and perpetual abolition of episcopacy.

Bellievre, stating to Mazarine that his own efforts to mediate in Charles's favor were baffled by his inflexibility, now requested that some other person

might be sent over, likely to have sufficient influence to persuade him to what was necessary for his service. "Upon which," says Clarendon, "the queen, who was never advised by those who either understood or valued his true interest, consulted with those about her, and sent sir William Davenant, an honest man and a witty, but in all respects inferior to such a trust," to declare to him her opinion, "that he should part with the church for his security." Respecting this mission, Charles himself thus writes, in the bitterness of his soul, to the three councillors attending Henrietta: ... "I found Davenant's instructions to be such, both for matter and circumstance, that my just grief for them had been insupportable, but that the extraordinary and several kind expressions of my wife, meeting casually at that time, abated the sharpness of my sorrow .... One particular I must mention, wherewith Davenant hath threatened me, which is 351 [the queen's] retiring from all business into a monastery. This, if it fall out, which God forbid, is so destructive to all my affairs—I say no more of it, my heart is too big, the rest being fitter for your thoughts than my expression. In another way I have mentioned this to 351, my grief being the only thing I desire to conceal from her, with which I am now as full as I can be without bursting, commanding you to remember her to answer me, and help to conceal my sorrow from her as much as may be; which will be some ease to it, that of itself were so great as not to be borne but for the great cordial of

her daily expressions of kindness to me, and that this way I find some vent for it[a]."

That grief, not indignation, should have been the prevalent emotion of Charles in receiving on the part of his wife a menace of such a nature, may be regarded as a memorable proof of the fixedness, and also of the blindness of his attachment to her. But besides the hold which this worthless and unfeeling woman always kept upon his affections, the perplexed and harassed king usually deferred to her judgement, and always set a high value on her exertions in his most important and difficult affairs, in which her natural love of intrigue rendered her indeed indefatigably active. At this time she was laboring to counterwork the papal nuncio, by whom her husband's negotiations with the Irish rebels had been deeply embroiled and the levy of troops for his service impeded. She would gladly have transported herself to that scene of action, but of this project Charles would not endure to hear, and she now endeavoured to urge him to the suicidal step of avowing the secret articles concluded with Glamorgan, as the price at which alone an Irish army subsidized by the pope could be enlisted in his cause. Mazarine affected to be about to land ten thousand men in England to concur in the enterprise, whilst he in fact meditated, with the cooperation of Jermyn, the seizure of Jersey and Guernsey. The earl of Crawford had visited Paris to concert with her ma-

[a] *Clarendon Papers*, ii. 270.

jesty a plan for a fresh rising of the highlanders under Montrose, who were to be joined by six thousand Irish. Hamilton at the same time, whose loyal attachment to the person of Charles neither suspicions nor injuries could destroy, had gained admission to him at Newcastle, reinstated himself in his confidence and affection, and opened to him his own plans for another invasion of England by the presbyterian Scotch, not in hostility to their sovereign, but for his protection and reinstatement. By all these projects, however uncertain or inconsistent, the hopes of Charles had been extraordinarily elevated. "I am most confident," he wrote to the queen, "that within a very short time I shall be recalled with much honor, and all my friends will see that I have neither a foolish or a peevish conscience."

Even with the extraordinary blindness to approaching dangers which was one of the strongest characteristics of Charles's mental constitution, and which set it most remarkably in contrast with his father's, his situation at this juncture was one which inspired him with frequent misgivings. About the end of October we find him expressing to the queen's three councillors, with some hesitation, the following opinion: That his consenting to remain in Great Britain under his present circumstances, might give facilities to his enemies for settling a new government in England without a breach between the two kingdoms. For that being an absolute cipher as to power, he could be no impediment to such a settlement although he were in Scotland;

and yet the English would be afraid to quarrel with the Scotch so long as it should be in their power to set him up to claim his right. That if, on the contrary, he were "in a secure freedom anywhere else," he believed that the two nations could not fail to quarrel, and finally to perceive that there could be no peace but of his establishing. Alarmed at such a suggestion, Henrietta hastened to write to him thus: "I .... conjure you that till the Scots shall declare that they will not protect you, you do not think of making any escape from England. They are startled here at the naming of it; and in so doing you would destroy all our hopes in the general peace, which —— well assures me is like to be made very suddenly."

The king, submissively, though not without indications of deeply wounded feelings, writes in answer: "I will, according to thy conjuration, not think of an escape, until the Scots shall declare that they will not protect me. By which I perceive the opinion is (I say not it is thine), that it is less ill for my affairs that I should be a prisoner within my dominions, than at liberty any where else, for I cannot escape, if I stay till the Scots declare against me. And indeed it may well be so, in case my friends will, upon my restraint, immediately and frankly declare for my release; of which I am sure thou will have a care, and therefore say no more[a]."

It is abundantly evident that the thought of see-

[a] *Clarendon Papers*, ii. 305.

ing her husband consigned to, perhaps, perpetual imprisonment, had no power to shake the nerves of Henrietta. By a subsequent letter, however, she gave him her permission to seek safety in Ireland, the Scotch Highlands, or Jersey, rather than be made a prisoner;—but quitting his own dominions was a thing not to be attempted whilst any choice remained[a].

In the last letter of Charles to Jermyn and Colepepper respecting these negotiations, dated December the 19th, he complains in a tone of very excusable irritation, that he is not believed concerning himself, since after his positive refusal to sanction presbytery, for which he had fully assigned his reasons, he was still urged to it, and the French ambassador still took for granted that he would consent. "Good God!" he exclaims, "what things are these to try my patience! And is it possible, that not having been able to convince my reason, you can believe that I will submit to yours, or any body's else against my conscience? Indeed there may be reason to reject my melancholy offer; but for God's sake, put me not to the hazard of as ill effects as that can bring, another way. For in what security do you think I can be, when it shall be believed, that my son will grant what I deny? I could say much more upon this subject; but I will only conjure you, as you are Christians, no more thus to torture me, assuring you that the more ye this way

[a] *Clarendon Papers*, ii. 312.

press me, you the more contribute (though I know, against your wills,) to my ruin[a]."

Whilst these vain discussions were carrying on between the king and those in whom he most confided, measures decisive of his fate were concerting between the English parliament and their Scotch allies. On September the 26th the king addressed a letter to Hamilton containing the following passage: "..... Those at London think to get me into their hands by telling our countrymen that they do not intend to make me a prisoner; O no, by no means! but only to give me an honorable guard, forsooth, to attend me continually, for the security of my person. Wherefore I must tell you, (and 'tis so far from a secret, that I desire every one should know it, only, for the way, I leave you to manage it for my best advantage,) that I will not be left in England when this army retires and these garrisons are rendered (without a visible force upon my person), unless clearly, and according to the old way of understanding, I may remain a freeman, and that no attendant be forced upon me, upon any pretence whatsoever[b]." In the same letter he desires Hamilton to give up some foreign journey which he had meditated, and to remain in Scotland, where he hoped no doubt for favorable results from his presence and exertions. The Scottish parliament, after being some time assembled, entered into debate on December the 16th, on the disposal of the king's

[a] *Clarendon Papers*, ii. 314. [b] Rushworth, vi. 329.

person, and passed resolutions which seemed to promise a zealous and active interposition in his behalf. They declared that they would support regal government in the persons of his majesty and his descendants, as well as his just rights to the English throne; and that instructions should be sent to the Scotch commissioners in London to obtain for him the power of appearing there with honor, safety, and freedom. But the value of these demonstrations which the royal party had obtained apparently by a kind of surprise, was quickly reduced to nothing. The standing committee of the general assembly, meeting on the following day, issued a "Solemn and seasonable warning to all estates and degrees of men throughout the land," urging the guilt and danger of espousing the cause of the king, or inviting him into Scotland, so long as he should refuse to give a pledge for his future good conduct by taking the covenant and granting the lawful desires of his loyal subjects in both nations; and showing that they should at once involve themselves in perjury, and incur the hazard of a bloody war with their brethren of England by such a breach of their positive engagement, that his person should be disposed of by the joint advice and common consent of the two kingdoms.

On the reading of this paper the Scotch parliament, after a fresh debate, resolved, that his majesty should be desired to grant the whole propositions; that in case of refusal the kingdom should be settled without him, and that the kingdom of Scotland could

not engage for him, or admit him, until he should have taken the covenant and assented to the propositions presented to him in the name of both kingdoms[a]. Thus were all the hopes of Charles from this quarter overthrown, but his resolutions remained still unchanged.

Before this time the English parliament had effected a double purpose, by declaring episcopacy for ever abolished and putting to sale the bishops' lands, and applying the produce in part of payment of the immediate demand of the Scotch; the rest being quickly raised by loan in the city. This money, amounting to 200,000*l.*, which was half of the entire sum stipulated, was sent off from London on December the 16th in thirty-six carts, escorted by Skippon with a body of infantry. The train entered York on January the 1st, and three weeks after, the Scotch received their first payment at North Allerton. In the treaty between the two kingdoms, the name of Charles, from a sense of decorum, was studiously omitted; but that the delivery of his person to the English parliament,—which the Scotch had at first made a show of refusing, on the ground of their equal national right and interest in him,—was a secret or tacit part of the bargain, was sufficiently notified by a resolution of the two houses passed on the last day of the year, that he should be conveyed to his mansion of Holdenby or Holmby in Northamptonshire. The indepen-

[a] Rushworth, vi. 291, et seq.

dents desired that the royal prisoner should without ceremony be handed over to Skippon by the Scotch at Newcastle, together with the keys of the town and the receipt for the money; but the more respectful proposal of the presbyterians prevailed, and a commission of three peers and six of the commons, with a numerous train, was appointed to take solemn charge of the fallen monarch.

Charles was playing at chess when news was brought him of the vote for his removal. With the composure which on the most trying occasions seldom forsook him, he finished his game, contenting himself with observing that when the commissioners arrived he would let them know his pleasure. On learning however that the Scotch parliament had given its formal consent to the delivery of his person, he could not forbear exclaiming, "I am bought and sold!"

With this sense of his situation apparently came the persuasion, that now at least the moment was arrived when his consort herself would no longer oppose his withdrawing himself from the island; and he entered into the project thus mentioned in two separate articles of the "Perfect Diurnal," a newspaper of the day.

"Monday, January 4th.

"Letters from Newcastle mention further what we gave you in the end of the last week, that the king would have escaped privately from Newcastle in the night-time disguised (some say in the habit of a sailor), and that the suspicion was so great, and

the stir so great upon it, that they were all up in the town in guards all night, and general Leven sent for his life guard of horse to be nigh the town, and quartered them in the way to Tynemouth. The king is much discontented at the proceedings of the parliament of Scotland, and that they should agree to deliver up his person to the parliament of England."

"By another letter from Newcastle the report of his majesty's intention to escape is confirmed,—the arguments to enforce belief,—that Paudon gate was endeavoured to be opened, and the sally-port adjoining,—that Mr. William Murray was very late at court that night;—coming down the stairs at so unusual a time, though he gave the officer the word, yet he stayed him in the guard three hours, until the governor sent for him. The conceit is, his majesty would have gone into the Holland man of war which lies still at Shields."

Well might it have been for the English nation, no less than for the unfortunate prince himself, had he thus been permitted to steal into an exile whence it would scarcely have been in his power seriously to have threatened the peace of his country! But the Scotch had not yet received the price of all their services, and they were far too wary to suffer their best pledge for payment to escape from their hands.

On the arrival of the English commissioners, the king, either from policy, or because the sight of faces, many of them once familiar to his view, inspired him with somewhat of hope or comfort,—

received them not only with courtesy but cordiality; jesting with his ancient lord chamberlain, the earl of Pembroke, who appeared at their head, and telling him, "he was glad to see he could so well in his old age perform so long a winterly journey with those that were more youthful[a]."

The Scotch commissioners, and especially lord Lauderdale, on quitting the king, made a last effort to prevail upon him to sign the covenant, declaring that in case of his consenting, instead of delivering his person up to the English, they would carry him off to Berwick and obtain reasonable conditions for him. They even promised a large sum to Montreuil, who had always been their medium of communication with the king, if he could only obtain his promise to that effect[b]. But all was in vain.

The treatment of Charles at the hands of the English commissioners was respectful and delicate. The day of departure was left to his own choice, and the journey, estimated at "eight score miles," was performed by easy stages, with pauses of some days at different towns on the road. "And it is noteworthy," says Herbert, "that through most parts where his majesty passed, some out of curiosity, but most, it may be presumed, for love, flocked to behold him, and accompanied him with their acclamations of joy, and with their prayers

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[a] Sir Thomas Herbert's *Memoirs*, p. 14.

[b] *Thurloe State Papers*, i. 87.

for his preservation; and that not any of the troopers who guarded the king gave those country people any check or disturbance, as the king passed, that could be observed. A civility his majesty was well pleased with. Being arrived at Holmby, very many country gentlemen, gentlewomen, and others of ordinary rank, stood ready there to welcome the king with joyful countenance and prayers."

The aspect and ceremonial of a court greeted him at the end of his journey, which he reached on February the 16th. The proper officers were in attendance, and the tables as well furnished as in his state of peace and prosperity,—a striking contrast to the abject poverty and want of almost common necessaries which he had experienced during the wanderings of his last campaign! No chaplains however of his own church were allowed him, and he preferred saying grace for himself to accepting the service of the two presbyterian divines, Marshal and Carryl, who attended the commissioners. On Sundays he "sequestered himself to his private devotion, and all other days in the week spent two or three hours in reading and other pious exercises." At other times he would play at chess for his recreation, and walk for his health; and as there was no fit bowling-green at Holmby, he would ride to Althorpe, or even to Harrowden, a house of lord Vaux's at the distance of nine miles, to indulge in his favorite exercise.

He was however closely watched, and his correspondences vigilantly intercepted. After a short

time, suspicions arose which caused most of the servants of his own choice to be removed from him, and others substituted with the approbation of the commissions; sir Thomas Herbert, the author of the Memoirs, a relation of the earl of Pembroke, being one of the new attendants. No open progress was made towards an accommodation, but many secret projects and tamperings were now proceeding.

The period of the king's detention at Holmby was one of violent struggle between the presbyterians and independents. The hope of procuring the king's restoration on tolerable terms, seems to have acted as a motive with the newly elected members—amongst whom were many concealed royalists, and perhaps a still greater number of persons chiefly anxious for a settlement of the country,—for now throwing their weight into the weaker scale, that of the presbyterians, by which it was rendered for the time preponderant. It was the object of this party, on the plea that the war was ended, and the country weary of taxes and burdens, to procure the immediate disbandment of the army, and by enlisting a great proportion of the regiments for the reconquest of Ireland under presbyterian officers, to wrest from the hands of Cromwell and Ireton a weapon which they dreaded to see turned against themselves.

The principal obstacle to this design was their want of sufficient funds or any obvious way of raising them, for discharging the twelvemonth's arrears due to the soldiers. With as little policy as justice it was attempted to prevail on the troops to separate

or to enlist for the Irish service on the receipt of only two months' pay in hand, with no valid security for the discharge of the remainder. The soldiers remonstrated; they embodied their complaints and requisitions in a petition to parliament, which Hollis, the leader of the presbyterian party, surprised a thin house into voting mutinous. This step it was found necessary to retract, and negotiations between parliamentary commissioners and deputies of the army followed.

The presbyterians projected to raise an army of their own to compel the other to disband; they likewise entertained a design of sending Cromwell to the Tower, who was thus driven in self-defence to concur in what he had at first resisted as mutiny, the self-organization of the army under leaders from its own ranks called adjutators, or agitators, through whom it capitulated with the parliament.

In this critical state of affairs, it became a point of importance to the representatives of the army, or their hidden prompters, to deprive their antagonists of whatever advantage they might derive from the possession of the king's person; and their measures were taken for the purpose with a skilful audacity which was thought to betray the master hand of Cromwell. The circumstances were the following.

Whilst the king on the afternoon of June the 2nd was bowling on the green of Althorpe, two miles from his abode, it began to be whispered among the commissioners that "a party of horse obscurely commanded was marching towards Holmby; and

for no good it was presumed," since neither the commissioners, colonel Graves who kept guard at Holmby, nor any of their attendants had received any notice of it. Charles on hearing the circumstance returned home; the commissioners resolved to stand on their guard, and the soldiers who attended them under the command of general Browne, promised to stand by them and protect the king's person. About midnight the party of horse arrived, drew up in good order before the house, and set guards at the avenues, and the commanding officer alighting demanded admission. Being asked by Graves and Browne his name and business, he announced himself as Joyce, a cornet in Whalley's regiment, come to speak with the king.

"From whom?" he was asked. "From myself." They laughed. "It is no laughing matter," said Joyce. The officers advised him to draw off his men, and in the morning he should speak with the commissioners. "I came not hither to be advised by you," said he, "nor have I any business with the commissioners; my errand is to the king, and speak with him I must and will presently." Browne and Graves commanded their soldiers to stand to their arms; but the men had already come to an understanding with their old comrades, and, forgetful of their promise, opened the gates to them and bade them welcome. Having placed guards on the commissioners' chamber-doors, Joyce, with a cocked pistol in his hand, announcing himself as one authorized not by the commissioners, but by those

who "feared them not," demanded admittance to the king in peremptory terms, which was as resolutely denied by the four gentlemen of his bedchamber; and the king himself, learning the cause of the altercation, refused to speak with the cornet till morning, at which he chafed, but finally submitted. On the morrow, early, his majesty sent for Joyce, "who, with no less confidence than if he had been a supreme officer, approached the king, and acquainted him with the commands he had concerning his removal." Charles desired that the commissioners might be sent for, and these orders communicated to them. The cornet replied, that they were to go back to the parliament. "By whose appointment?" No answer. "By your favor, sir," said the king, "let them have their liberty, and give me a sight of your instructions." "That," said Joyce, "you shall see presently;" and he went and drew up his troops in the inner court close to the king, who, taking a good survey of them, and finding them proper men, and well mounted and armed, smiled, and told the cornet his instructions were written in fair characters, legible without spelling.

On being pressed by Joyce to accompany him, with assurances that "no prejudice was intended, but rather satisfaction," the king refused to move without the attendance of the commissioners. The cornet replied, he was indifferent as to that; and the commissioners themselves, after vainly endeavouring to collect from him what were his intentions,

agreed, though with anxious hearts and gloomy faces, to attend his majesty at all adventures. "The king," adds Herbert, "was the merriest of the company, having, it seems, a confidence in the army, especially from some of the greatest there, as was imagined." If therefore Charles thought proper to keep up the appearance on this occasion of being forced away against his will, it was probably for the purpose of exhibiting himself as under duress, a situation which in his avowed opinion was sufficient to invalidate any concessions he might make, however solemnly, and with whatever apparent willingness.

After resting one night at Hinchinbrook, where he was "treated with honor and hearty welcome," Charles was brought to Childersley, near Cambridge, whither, during his three days' stay, came many gentlemen of the university to kiss his hand. Thither also came the general and several of the principal officers of the army. Fairfax, taking the king aside, disavowed the enterprise of Joyce, and endeavoured to persuade him to return to Holmby; but he replied, that only force should urge him to it. In this interview the king said to the general, "Sir, I have as good interest in the army as you." The next day, when Fairfax proposed to bring Joyce to a court-martial, he found himself outvoted in the council of officers. Newmarket was the next stage of the royal captive, where he found his own hunting-seat fitted for his reception; and here he remained for some weeks, repeating his messages to

the two houses for a fresh treaty and his resort to the capital or its vicinity, and attended both by the parliamentary commissioners and the principal commanders, by whom he was treated with a deference which confirmed him in his usual sanguine views of his own situation and prospects. His presence-chamber was constantly crowded with persons of all degrees, men, women, and children, come to see the king, and patients were brought to be touched by him; he dined in public, and on withdrawing never failed to be saluted with loud acclamations.

The parliament voted that the king should be conducted to Richmond; but the chiefs of the army, which was at present quartering near St. Albans and threatening the two houses with a nearer advance to London, insisted that their prisoner or hostage should attend their motions; and he was carried first to Royston and Hatfield, and thence, on July the 1st, on the removal of the army towards Reading, to his own Windsor, and to Caversham; afterwards on its taking up its quarters at Bedford, he was received at Woburn Abbey.

At the intercession of Fairfax, the parliament consented to indulge him with the sight of those of his children who were then in their hands, and the dukes of York and Gloucester and the princess Elizabeth were brought from Sion House, where they resided under inspection of the earl of Northumberland, to meet their father at Maidenhead. With that sympathy for the domestic charities so remarkable in the English character, a crowd collected to

witness the interview, who strewed the path before the royal family with flowers and branches; and the guard themselves, both officers and soldiers, touched with the scene, cheerfully consented that he should take back the children to pass two days with him at Caversham. Similar indulgences were repeatedly granted to him in the sequel.

At Woburn, where several noblemen waited upon the king, "some late commander" of his army was admitted to kiss his hand and to discourse with him, which was novel, and "held as an omen of future harmony," the parliament having ordered, on his quitting Newcastle, that no one who had borne arms in his cause should be admitted into his presence. What perhaps consoled him still more, was that his request for the attendance of some of his own chaplains, refused by the parliament, was granted by his present captors; and Doctors Sheldon and Hammond obeyed with joy the summons of their master. To Sheldon, whom he made use of as a confessor, he soon after delivered in his own hand-writing the following memorable engagement.

"I do hereby promise and solemnly vow, in the presence and for the service of Almighty God, that if it shall please the Divine Majesty, of his infinite goodness, to restore me to my just kingly rights, and to reestablish me in my throne, I will wholly give back to his church all those impropriations which are now held by the crown; and what lands soever I do now, or should enjoy, which have been taken away either from any episcopal see, or any cathedral

or collegiate church, from any abbey or other religious house. I likewise promise from hereafter to hold them from the church, under such reasonable fines and rents as shall be set down by some conscientious person, whom I propose to choose, with all uprightness of heart, to direct me in this particular. And I most humbly beseech God to accept of this my vow, and to bless me in the design I have now in hand, through Jesus Christ our Lord. Amen[a]. "CHARLES R."

About the middle of August the king was conducted to Hampton-court.

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[a] This vow appeared at the Restoration, thus attested: "This is a true copy of the king's vow, which was preserved thirteen years under ground by me—GILB. SHELDON."

"1660 Aug. 21."—Le Neve's *Lives of the Archbishops*, p. 178. Compare also Perinchief's *Life of Charles I.* prefixed to his Works, p. 60, where there appears what seems an inaccurate version of the same story.

CHAPTER XXX.

1647—1648.

Situation of the king at Hampton-court.—The army-proposals.—Efforts of the presbyterians in his favor.—Secession of members of both houses who join the army.—The king rejects with scorn the army-proposals,—then temporizes and disclaims.—The army enters London.—Intrigues.—The king rejects the propositions of parliament.—Position of Cromwell and Ireton.—They intercept a letter of the king's and resolve on his destruction.—The king placed under stricter restraint.—Origin and designs of the Levellers.—Of Cromwell.—The king withdraws from Hampton-court.—Particulars of his giving himself up to governor Hammond.—He enters Carisbrook castle.—Event of the rendezvous at Ware.—Cromwell declines further intercourse with the king, who determines to treat with the Scotch.—The king makes proposals to the parliament.—Attempts an escape.—Four bills offered for his assent.—He concludes a secret treaty with the Scotch commissioners.—Returns an unsatisfactory answer to the parliament.—Vote of no further addresses to him carried.—He is placed in stricter custody.—Makes a vain attempt to get out of the window.—The employment of his time.—Transactions in Scotland.—Royalist insurrections.—The king again attempts an escape.—Expedition and defeat of the Scotch.—Suppression of the royalists.—Colchester surrendered.—Naval expedition of the prince of Wales.—Treaty of Newport.—Deceitfulness of the king respecting Irish affairs.—Termination of the treaty.—The king removed to Hurst castle.

THE situation of Charles at this juncture was one to which it would be difficult to find a parallel in

history. Defeated, ruined, he yet appeared to hold in his hands the destinies of his people, and, although a prisoner, to exercise with impunity the freedom of his will. Even the state of a monarch was restored to him as soon as he again became the occupant of a palace. "While the king remained at Hampton-court," says the historian of the parliament, "he seemed to be not at all a restrained man, but a prince living in the splendor of a court; so freely were all sorts of people admitted to his presence, to kiss his hands and do all obedience whatsoever. None were forbidden to wait upon him. Nor did the people from London only and the adjacent towns resort to the king, but his servants also from beyond the seas;—even those who by order of parliament had been forbidden and voted delinquents, such as Ashburnham, Berkeley, and the rest; who now, by permission of the army, had safe recourse to him. But upon what reason or design this was granted, many wondered[a]."

The palace, as Herbert relates, had been prepared for his reception by the yeomen of the wardrobe and other officers with what was needful for the court. "And a court it now appeared to be: for there was a revival of what lustre it had formerly, his majesty then having the nobility about him, his chaplains to perform their duty, the house amply furnished, and his services in the accustomed form and state; every one of his servants permitted to

[a] May's *Breviate.*

attend in their respective places; nothing then appeared of discrimination[a]." "Intercourse," adds the same eye-witness, "was free between king and parliament, and the army seemed to endeavour a right understanding between the different parties;" the commissioners continued their attendance on him; the general and other military commanders were much at court, and had frequent conference with the king in the park and elsewhere; "no offence at any time passed amongst the soldiers of either party; there was an amnesty by consent, pleasing, as was thought, to all parties."

In the midst of this suspension of outward hostilities, every sect and party was working openly or secretly towards the attainment of its own peculiar ends. An agreement with the king and his restoration on terms more or less favorable, formed however the basis of all the projects which were as yet avowed; and to sanguine or to superficial observers it must have appeared, that the long calamities of Charles and of his people were drawing fast to a close.

But it was only necessary to bring to the test of actual negotiation any one of the proposed arrangements, to prove that in the relative strength or weakness, in the principles, the prejudices, the passions or the interests of the proposed contracting parties, insuperable obstacles still subsisted to any pacific arrangement.

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[a] Herbert's *Memoirs*, p. 48.

From the moment of Charles's arrival in the quarters of the army, secret overtures had passed between him and the greater number of the military chiefs. Cromwell and Ireton in particular were profuse in declarations of attachment to his person and interests, which at the same time they affirmed to their republican friends to have no other purpose than to divert him from closing with the propositions of their presbyterian opponents. They went so far as to open some correspondence with the emissaries of the queen, and to encourage her to send over Berkeley, Legg, and soon after Ashburnham, to assist the king in negotiation. During his sojourn at Woburn Abbey, they submitted to him for his private consideration terms, called the army proposals, drawn by Ireton, sanctioned by the council of officers, and concurred in by the parliamentary commissioners. These articles were more favorable to Charles than the last parliamentary propositions in the points in which they differed from them, of which incomparably the most important was a provision for speedily calling a new parliament; yet they were received by him with strong marks of displeasure, and the remark "that if they had any intention to come to an accommodation, they would not impose such terms upon him." Sir John Berkeley, the bearer of the communication, sagaciously replied, "that he should rather suspect they designed to abuse him if they demanded less," and, "that a crown so near lost was never recovered so easily as this would be, it

things were adjusted upon these terms." The king however remained unsatisfied, resting his chief objections on three points: The exclusion of seven persons from pardon. The incapacitating any of his party from being elected members of the next ensuing parliament. That *nothing* was mentioned concerning church government." And he at length broke away from the discussion, exclaiming, "Well, I shall see them ere-long glad to accept of more equal terms[a]."

It appears that Charles distrusted the sincerity of the army chiefs principally for the reason that they had refused to accept of favors and honors, or rather the promise of these, at his hands. Willing to try all parties, he now listened to an application from lord Lauderdale, for his approbation of a new covenant or engagement devised by the presbyterians, by which the subscribers bound themselves to bring his majesty to Westminster, for the purpose of confirming his Holmby concessions and conferring with the parliament on the remaining points of difference. By the citizens of London and their militia, who formed the strength of the party in England, this bond was numerously signed. The two houses on the other hand voted it an act of treason against the country; when immediately their doors were besieged and their persons insulted by a riotous crowd under the influence of the presbyterians and concealed royalists, eager to bring back the

[a] Ludlow's *Memoirs*, p. 78.

king on any terms, or even without terms; and a hasty vote sanctioning his return was surprised from their fears. They consulted their dignity, however, by an immediate adjournment; and eight peers and about a hundred commoners, with the speakers of both houses at their head, took the opportunity to withdraw from the capital, and ultimately put themselves under the protection of the army.

In the mean time Ashburnham, having again gained access to the king, easily persuaded him to follow his own bent, by treating with scorn the agitators, and making new efforts to gain by secret promises the council of officers; and an intimacy was established between Ashburnham and Whalley, commander of the guard which was set over the king, from which resulted a close correspondence with Cromwell and Ireton, and daily messages between the king and head-quarters. These intrigues, together with promises and professions from other quarters, so elated the king, that on the proposals of the army being now publicly offered to him, and his concurrence respectfully desired, to the great astonishment not only of Ireton, the bearer, but of his own followers, he "entertained them with very sharp and bitter language, saying, that no man should suffer for his sake; and that he repented him of nothing so much as that he passed the bill against the earl of Strafford, ... and that he would have the church established according to law by the proposals. To which those of the army replied, that it was not their work to do it, and that they thought

it sufficient for them to waive the point; and they hoped for the king too, he having already consented to the abolition of the episcopal government in Scotland. The king said, that he hoped God had forgiven him that sin, repeating frequently these or the like words: 'You cannot be without me, you will fall to ruin if I do not sustain you.'" Berkeley perceiving with alarm the impression made by these strangely imprudent speeches on all present, stepped to the king, and said in his ear, "Sir, you speak as if you had some secret strength and power which I do not know of; and since you have concealed it from me, I wish you had done it from these men also*." Thus admonished, his majesty attempted to retract, but too late; for colonel Rainsborough, an avowed republican, had gone forth to report his words and behaviour to the troops. An exasperated party of the soldiery, ascribing the impracticable humour of the king to his secret tamperings with the Scotch, rushed immediately to the chamber of Lauderdale, who was still at court, and, in spite of his character of commissioner for Scotland, compelled him to rise instantly and hasten back to London without the parting interview with the king which he demanded. Charles soon afterwards, alarmed at the preponderance of the army, made a public and solemn disavowal of a declaration which had been obtained from him by Lauderdale and the presbyterians, in which he had condemned all at-

* Berkeley's *Narrative*.

tempts at making war upon the parliament;—so little was he either alive to the shame or aware of the danger of exhibiting himself to all parties in turn as a man whom no declarations could pledge, no promises could bind!

In London the presbyterians and their allies seemed to be prepared for a courageous stand, and the royalists hoped at length to see their enemies at open war between themselves. The remnant of a house of commons which assembled at Westminster, on learning the departure of their speaker proceeded to a new choice, and took some steps in concurrence with the commanders of the city militia for raising troops in their own defence. But these warlike projects all died away before the rapid advance of Fairfax. After a rendezvous of the army on Hounslow Heath, the parliamentary seceders made their appearance, and were received by the troops with triumph. A council was held the same evening at Sion House, in which Fairfax and his officers took their seats with the members of both houses, and it became manifest from the aspect of things and the intelligence brought, that the city would capitulate.

Some amongst the officers immediately sent off an express to Berkeley and Ashburnham, prompting them to urge upon the king the importance of his now endeavouring to soften the resentment of the army for his late rejection of their proposals, by some kind letter written "before it were known that London would submit." Such a letter they accordingly prepared; but Charles, still reluctant to lose the

presbyterians, could by no means be induced to sign it till he had wasted a whole day in debates. During this interval commissioners had arrived at Sion to treat; and the king's letter, when at length delivered, was found to have lost both its grace and its efficacy.

The next day, August the 6th, Fairfax entered London, and the seceding members were reseated with a high hand.

Within the parliament house, however, the presbyterians and their allies were still enabled to oppose a bold, and on some points a successful opposition to the designs of the army; and the progress made towards a settlement of the country and the liquidation of the arrears of the troops was by no means such as to satisfy the claims and wishes of the soldiery. The agitators and their constituents viewed with jealousy and disgust the intrigues going on between the council of officers and the emissaries of the king; and Cromwell himself fell into strong suspicion with them. It was confidently reported, that he had been won over to the royal side by the offer of the earldom of Essex, the garter, and advantages to his family; and threats even of assassination were thrown out against him. He persevered, however, in giving the king private assurances of attachment to his interests, and encouraged him to reject the propositions about to be tendered by the parliament, relying on better terms from the army. In conformity with this advice the king, on the presentation of the propositions, waived them

with a declaration of his preference of the army's proposals, as a basis of accommodation. This answer, after a violent struggle, was voted by the commons an absolute denial; but it was afterwards carried, that further application should nevertheless be made to his majesty in such matters as should be judged for the good and safety of the nation; and some attempts, but in which the framers themselves seem not to have desired success, were made to remodel the articles of treaty.

In the late debates Cromwell had taken the part of the king with a vehemence which aggravated all former jealousies, and he found it necessary to desire Berkeley and Ashburnham to cease their visits to his quarters, or it would be unsafe for him to occupy them himself. At the same time he well knew that he had no hold upon the king, that all parties in their turns received from him assurances of his readiness to close with them, and that at this crisis each day brought forth its project. The marquis of Ormond, after surrendering Dublin to the parliament's forces to preserve it from the Irish insurgents, had been permitted to come to London, had visited the king, and was believed to be organizing a rising of Irish catholics in his favor. The Lords Loudon, Lauderdale and Lanerck were again in close attendance on him, and undertook for the levy of a Scotch army, which, on condition of his signing the covenant, would restore him to his throne. Lord Capel had also arrived, and the king had expressed to this devoted adherent his persuasion that

a war would be speedily rekindled between the two kingdoms, in which the English presbyterians would join with the Scotch, and desired that the English royalists might be moved to take up arms likewise, with the view of securing his interests.

Charles, in some conversation with Ireton, had used the unwary and offensive expression, "I must be allowed to play my game;" to which that sagacious politician had replied, "If your majesty have a *game* to play, we must likewise play ours." Thus all scruples had been, as if by agreement, mutually set aside. To know the real intentions of the king respecting themselves, should he by their aid be restored to power, was indispensable to the guidance of the army chiefs in the difficulties of their present position. They were informed by one of their spies, who was of the king's bedchamber, that a letter from Charles to his consort, likely to contain this information, was about to be dispatched from London for Dover sewed up in the skirts of a saddle; and without hesitation they laid a plan for possessing themselves of the prize, which proved successful. It appeared that this letter was in answer to one in which Henrietta had reproached her husband with having made "those villains" Cromwell and Ireton too great concessions; in reference to which, he told her, "That she should leave him to manage, who was better informed of all circumstances than she could be; but that she might be entirely easy on that head, as he should know in due time how to deal with the rogues, who, instead of a silken garter

should be fitted with a hempen cord[a]." He likewise expressed his intention of closing with the Scotch rather than the army. From this time these associated leaders, who seem to have previously judged it the best policy of their party to make terms, temporarily at least, with the king, in order to avoid being overpowered by the presbyterians of both countries, made up their minds to proceed in consummating his ruin.

Steps were immediately taken to remind Charles of what he had almost been permitted to forget—that he was now no longer a sovereign, but a captive. He had lately judged it conducive to his interests, or his dignity, to reestablish a privy council in attendance upon his person, and had summoned, in consequence, the Duke of Richmond, and lords Hertford, Ormond, Southampton and Dorset; but the assumption gave offence to the army, and in consequence of an intimation from the parliament, all these peers quitted the court almost as soon as they had reached it. Soon after, Berkeley and Ashburnham with others of his confidential attendants were removed, his person was guarded by the soldiers with less of the usual demonstrations of respect, and intimations began to be given him by the Scotch commissioners of sinister intentions regarding him, which made it advisable that he should consult his personal safety by flight. The guard over him was likewise doubled by the superior of-

[a] *Richardsoniana*, p. 132.

ficers, but professedly rather for his protection than from jealousy of his escape. Circumstances indeed had now arisen, and designs were becoming manifest, well calculated to give effect to any warnings of this nature.

A new sect, partly religious, partly political, had arisen, and made rapid progress in the army, to which their enemies gave the opprobrious, but formidable name of Levellers, and imputed the project of equalizing every kind of property. By all but a few of the most violent fanatics amongst them this design was disclaimed, but they avowed the intention of establishing a perfect equality of civil rights amongst all freemen, and they had delivered in to the council of officers a plan for settling the civil government in a biennial parliament elected by universal suffrage, to the exclusion of the king and the house of lords, and for leaving religion absolutely free, and declaring all sects equal. The military commanders had made some efforts to repress this revolutionary spirit; formidable mutinies had been the result, and Fairfax had appointed a rendezvous of several regiments at Ware, on November the 16th, from which decisive results were anticipated.

Cromwell, who certainly proposed to preserve to himself that control over the person of Charles which he exercised at Hampton-court, through Whalley, appears now to have apprehended his falling into the hands of an insubordinate and republican soldiery whom he felt doubtful of again reducing under his own control. Accordingly, the warnings allowed

to reach the royal captive from various quarters became more and more urgent. His life was reported to be in danger; the agitators were reported to meditate a seizure of his person on the eve of the rendezvous; and after some days of deliberation, on November the 11th the king made his escape, or took his departure, by night and in disguise from Hampton-court. He was accompanied by Legg, who was still allowed to attend in his bedchamber, and joined immediately after by Berkeley and Ashburnham, who were still in the neighbourhood, and with whom he had concerted his plan.

Charles left behind him on his table a letter for the parliamentary commissioners, in which, after pleading the rigor and increasing peril of his situation in justification of his escape, he declares that he is not the less anxious for a just peace, in which his own interests and those of all the other parties ought to be consulted, in order to make it solid. "Let me," he concludes, "be heard with freedom, honor and safety, and I shall instantly break through this cloud of retirement, and show myself ready to be Pater patriæ."

From the two narratives of Berkeley and of Ashburnham, discrepant as they are on other points, it appears that many projects had been agitated by Charles before his departure. He would have ventured himself in London, had the Scotch commissioners consented to take upon themselves the hazard of so bold a step; he would have embarked for Jersey, or for some foreign kingdom, had not both

Berkeley and Ashburnham remonstrated against this decision, with arguments borrowed seemingly from Paris,—and had he not been disappointed of a ship, which it appears that one or other of these gentlemen had been charged by him to provide on some part of the coast. That the course which he finally consented to take was prompted, directly or indirectly, by Cromwell, seems nearly certain. Hammond, whom this leader had very recently caused to be appointed governor of the Isle of Wight, was a friend for whom he had previously procured an advantageous marriage with a daughter of Hampden.

Ashburnham mentions that he had himself held a conversation with Hammond, as he was departing for his government, from which he concluded him so much the king's friend as induced him to suggest that he should be asked whether he would afford his majesty protection on this occasion;—a statement which throws on the relater some suspicion of a secret complicity against the liberty of his master. However this might be, the king, after riding all night in the direction of the Isle of Wight, came to the resolution of claiming shelter, with Legg for his attendant, at Titchfield, a house of the earl of Southampton's near the Hampshire coast, whilst Berkeley and Ashburnham should proceed to Carisbrook and sound the disposition of the governor; and he supplied them with copies of two letters, one from Cromwell, to show that he had quitted Hampton-court in consequence of announcements of danger to his life. Berkeley is accused by his companion of rashly

acquainting Hammond, at the very opening of the conference, that the king was already in the neighbourhood, and, by that indiscretion, of placing him unconditionally in effect in the hands of the governor. The disclosure, however, was nearly inevitable. After a scene in which Hammond evinced much perturbation, as disliking and fearing the consequences of the affair, and spoke in doubtful phrases, the utmost that could be obtained from him was a declaration, "That since it appeared his majesty came from Hampton-court to save his life, if he pleased to put himself into his hands, whatever he could expect from a person of honor or honesty, his majesty should have it made good by him."

On these terms Hammond, taking with him the governor of Cowes castle and two servants, set out with the two messengers to attend the king. Ashburnham however got leave to go on before, that his master might still have some choice given him in the disposal of his person. "When," he says, "I had made the whole relation to the king, he was pleased to say, with a very severe and reserved countenance, (the first of that kind to me,) that notwithstanding that engagement, he verily believed the governor would make him a prisoner. I presumed to tell him, ... that I was sure his instructions were fully obeyed, they being to try what conditions we could get for him; but since what was done did not please him, I was happy that I had provided an expedient; so that if he would say what other course he would steer, I would take order

that the governor should not interrupt him. His majesty asked me how that could possibly be, since the governor was come with us? I answered, that his coming made any other way more practicable than if he had stayed behind. He then told me that he had sent to Hampton for a vessel to transport him into France, and was in good hopes to be supplied, and that he expected it every moment, but very earnestly pressed to know how I would clear him of the governor: I answered, that I was resolved and prepared to kill him and the captain with my own hands. His majesty walking some few turns in the room, and, as he was afterwards pleased to tell me, weighing what I had proposed to him, and considering that if the ship should not come, it would not be many hours before some in pursuance of him would seize him, the consequence whereof he very much apprehended, resolved he would not have execution done upon the governor, for he intended to accept of what he had proffered, and go with him, and therefore commanded he should be called up..... When the governor came into the king's presence, he declared the same engagement, and much more to him than he had done to us, which his majesty accepted, desiring him to remember, that *he* was to be judge of what was honorable and honest[a]."

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[a] See Ashburnham's *Narrative, &c.*, published by the earl of Ashburnham, London 1830; with Berkeley's Narrative in the Appendix.

These preliminaries being settled, the king embarked for the Isle of Wight, and entered Carisbrook castle, where it is acknowledged that "he had for a while all the satisfaction from the governor which that place could afford."

The rendezvous at Ware, through the conciliatory eloquence of Fairfax, and the promptitude and resolution of Cromwell, who seized with his own hands the ringleaders of a mutinous regiment, ended in the present restoration of the authority of the officers over the privates and agitators. The incidents of the day served, however, to impress upon Cromwell a conviction that nothing could ever reconcile the army to the restoration, on any terms whatever, of the king whom they had vanquished, and whom, exasperated by his perpetual intrigues and his late escape, they loaded with every epithet of contempt and abhorrence; and he remained fully determined to incur no further personal risk by even a seeming adherence to his interests. Accordingly, when Charles, desiring to weave anew his broken web, sent Berkeley to head-quarters with letters for Fairfax, Cromwell, and Ireton, he found himself very coldly received by the commander and referred to the parliament; and a general officer his friend, meeting him by night, at the hazard as he assured him of his life, if detected, informed him that the leaders had now taken off the mask, and it was resolved to destroy the king and his posterity; that it was intended to send eight hundred of the most disaffected of the soldiers to secure his person, and then to

bring him to trial; "and," he added, "I dare think no further. This will be done in ten days, and therefore if the king can escape, let him do it, as he loves his life." Cromwell, on Berkeley's sending him word that he had a letter and instructions for him from the king, refused to see him, on account of the danger to both parties, bidding Berkeley be assured that he would serve his majesty as long as he could do it without his own ruin, but that he must not be expected to perish for his sake[a].

Berkeley says that he concluded that the king, on receipt of this intelligence, would escape without delay, "the wind serving, and the queen having sent a ship to that purpose, and pressed it earnestly by her letters." But on his return he found him still lingering, and he assigned as the reason, "that he was to conclude with the Scots before he left the kingdom, because from their desire to have him out of the army's hands they would listen to reason; whereas if he went away before, they would never treat with him but upon their own terms." In the face therefore of these imminent risks, he invited the Scotch commissioners to come and treat with him in person, having previously tampered with them through Gough, one of the queen's priests, to dispense with their capital article,—his accession to the covenant. As an expedient to gain time, he likewise sent a fresh message to the parliament, offering further concessions with respect to the command of

[a] Berkeley's *Narrative*.

the militia and two or three other points. But the evident indifference with which these overtures were received having confirmed his former grounds of apprehension, he was struck with the necessity of making an immediate escape, and fixed upon Berwick as his place of retreat. By the vigilance of Hammond the plan now laid for his evasion was disconcerted, and through this disappointment time was given for him to receive a deputation from the English parliament, with lord Denbigh at its head, bringing four bills, to which both houses required his royal assent as the indispensable condition of his being admitted to a personal treaty.

By the first of these a perpetual control over the sea and land forces was vested in the parliament; by the second, all declarations and proceedings against the parliament during the war were made void; by the third, all titles of honor conferred since that date were annulled, and no new peers were to sit in the house without consent of parliament; by the fourth, the houses were enabled to adjourn from place to place at their pleasure.

The Scotch commissioners had exerted their utmost efforts to impede these bills in their passage through the two houses; and on the day before the arrival of the English commissioners, they came to Carisbrook, by consent of the parliament, having no other object, as they pretended, than that of making a formal protest against these bills in the king's presence. But they were likewise the bearers of a secret treaty to which he had promised to accede.

By this treaty, Charles agreed to confirm the covenant in parliament; to establish presbytery for three years, till the convocation of an assembly of divines; to concur in the extirpation of sects; and to grant to the Scotch people a full participation in the commercial privileges of England, and such a share of all offices and honors in the gift of the crown, as to Englishmen must have appeared utterly exorbitant. On the other part, the commissioners engaged that the Scotch should assert and restore the king's authority by force of arms, assisted, as it was understood, though not expressed, by the presbyterians and royalists of England, and by such a force as Ormond should be able to raise in Ireland. In the course of a few hours all was concluded, and the signature of Charles secretly affixed, after which the instrument was buried in a garden for safety, till the departure of the commissioners.

This clandestine transaction was tainted by the usual bad faith of the king; and the commissioners Loudon, Lanerk and Lauderdale, were content to be accomplices in the deceit. They demanded, and Charles granted, the stipulations in favor of the theological articles, so dear to the Scottish people that without security for them they could never have been induced to take arms in his cause, on the express understanding, that when once the royalists should be in the field, the performance would and must be remitted to the sole will and pleasure of his majesty.

The two sets of commissioners thus brought in

contact naturally viewed each other with jealous eyes. Ludlow relates that whilst they were all attending the king as he walked about the castle, they observed him throw a bone before two spaniels that followed him, and take great delight in seeing them fight for it; an action by which some of them conceived that he designed to represent the bone of contention that he had cast between them. The sport, however, had its danger.

It was the intention of Charles to withdraw himself from his prison on the very night after he should have delivered his answer to the English commissioners; and in the hope of disguising its tenor till his design had taken effect, he hit upon the device of putting it sealed into their hands; but on lord Denbigh's refusal to receive it in this state, he consented to its being broken open. It was a harsh and peremptory declaration, that neither his present sufferings, nor the fear of worse, should ever prevail with him to consent to the passing of any bills before the whole terms of agreement should be settled. The commissioners, on reading it, abruptly took their departure, and hastened to inflame the parliament with their report. No one could doubt that a secret agreement with the Scotch had inspired the captive king with the boldness to reject proposals of which the commonwealth party had dreaded his acceptance as the likely road to his ultimate restoration. No one could doubt that a second civil war was on the point of breaking out. Cromwell and many other members now indulged

in vehement invectives against Charles and against royalty, and the independents were enabled to carry a resolution that no more addresses should be made to him, nor any applications from him received.

In the mean time the consequences of his conduct were brought more personally home to the king by a marked change in the behaviour and the arrangements of Hammond, and the consequent disappointment of his plan of escape. A French ship was lying at Southampton ready to receive him, the wind was fair, and he hoped that either on the very night of the departure of the commissioners, or on the following morning, he might accomplish his design. "But he met," says Berkeley, "with two great obstacles; the wind in the very instant became cross, and the governor returned from Newport [whither he had attended the commissioners,] full of fury, and locked up the gates, and doubled his guards, and went not to bed that night. In the morning he commanded all his majesty's servants from him."

The king on these proceedings sent for the governor, when the following dialogue is said to have taken place. "*King*. Why do you use me thus? Where are your orders for it? Was it the Spirit that moved you to it?—Hammond, who had no orders from the parliament, but likely some advice from the commissioners, said nothing at first, but afterwards laid it upon his majesty's answer.—*King*. Did you not engage your honor you would take no advantage from thence against me?—*Hammond*. I

said nothing.—*King.* You are an equivocating gentleman. Will you allow me any chaplain? You pretend for liberty of conscience; shall I have none?—*Hammond.* I cannot allow you any chaplain.—*King.* You use me neither like a gentleman nor a Christian.—*Hammond.* I 'll speak with you, when you are in better temper.—*King.* I have slept well to-night.—*Hammond.* I have used you very civilly.—*King.* Why do you not so now, then?—*Hammond.* Sir, you are too high.—*King.* My shoemaker's fault, then; my shoes are of the same last, &c. (Twice or thrice to this purpose.) Shall I have liberty to take the air?—*Hammond.* No; I cannot grant it.—His majesty charges him with his allegiance; told him he must answer this. Hammond cries."[a]

An effort at a rising in the king's favor was soon after made in the Isle of Wight by one captain Burley, but so feebly supported that Berkeley and Ashburnham affirm that they could not venture to give it their support. It is difficult however to repress the surmise, that by sincere and vigorous efforts on the part of the queen and those whom she employed, the king might have been brought off. All the means that depended on himself for this end he seems to have diligently employed. Ashburnham relates, that on his expulsion with the other attendants from the castle, he was compelled to dismiss the French ship; but that he himself still remained on the Hampshire coast, corresponding with the

[a] *Clarendon State Papers*, ii. Append. xliv.

king about his escape, who he says desired him to wait for him every night by the sea-side, till he should discharge him; "for most assuredly he would do his part, being confident of the assistance of one about him, and having discovered upon trial that he could pass his body between the bars of the window of his chamber, because he found there was room enough for his head (the rule being that where the head can pass, the body may): but most unhappily he mistook the way of measure; for instead of putting forth his head sideways, he did it right forward; by which error, when all things were adjusted for his escape the second time, ... he stuck fast in it, and, as he was pleased to send me word, did strain so much in the attempt as he was in great extremity, though with long and painful strugglings he got back again, without any certain notice taken by any man, but by him who waited to have served him when he came down. There were some other endeavours used," he adds, "but what effect they had I can give no account,—Mr. Legg, Mr. Levett, and myself being, after near a quarter of a year's attendance in the nights upon the sea-shore, ... taken prisoners and carried to Arundel, Warwick, and Wallingford castles[a]."

Within ten days after Ashburnham had secreted the agreement signed by Charles with the Scotch commissioners, his cabinet was broken open by the governor, and search made for that important docu-

[a] Ashburnham's *Narrative*.

ment, and for the queen's correspondence; but nothing was found. Herbert however, who was still in attendance upon his majesty, far from charging Hammond with any unnecessary harshness towards him, mentions, that after he was confined within the precincts of the castle and works, the governor for his solace and recreation converted the barbican into "a bowling-green scarcely to be equalled, and built at one side a pretty summer-house." The king spent much of his time in reading in the Scriptures and books of divinity, adding for his recreation, Shakespear, Fairfax's translation of Tasso, Harrington's Ariosto, the Fairy Queen, and other poems. His tranquillity was sometimes interrupted by divines of different sects who desired to confer with him or to offer their books for his perusal, but he dismissed them with civil answers, and prudently avoided all controversy.

The Engagement, as the treaty came to be denominated which the three Scottish noblemen had concluded with the king, met at Edinburgh with powerful obstacles to its reception. It was plain in the first place that the negotiators, in their character of commissioners to the English parliament, had no authority to conclude such an agreement. The royalists, by whom it was cordially embraced as a means of restoring the king in effect without conditions, were a small and feeble party; and the *moderate presbyterians*, as they desired to be called, of whom Hamilton was the leader, who were willing to accept this compromise with the king, hoping

to gratify at once their intolerance and their ambition by suppressing the English sectaries and reinstating in authority their English brethren, found themselves powerfully counteracted by the *wild presbyterians*, led by Argyle and Warriston. The last party, though weaker than the adherents of Hamilton in the parliament, was paramount in the church; and the clergy, secretly stimulated by the English independents, began to fulminate against malignants and enemies of the church, and to deprecate any association with them. They complained of the king's concessions respecting religion as insufficient and delusory, and prepared to give all possible obstruction to the enlistment of troops. In the parliament, on the contrary, it was carried that the seizure of the royal person, the control exerted by the army over the two houses, and the exclusion of the Scotch from all share in their counsels, and from the presence of the king, were sufficient causes of war against England. A flattering picture was drawn of the readiness of the whole of that nation, excepting a few sectaries, to concur in the reinstatement of his majesty, and, under the pretext of putting the country in a state of defence, the levy of a large army was voted. The clergy however, and the party of Argyle, persisted in their opposition, and in consequence the preparations for war were delayed till the favorable opportunity had escaped.

The English royalists, calculating on more timely aid from the Scotch, during the spring and summer

of 1648 broke into several insurrections, which, although hasty and ill-combined, were formed to excite strong alarm in their adversaries as indications of the popular feeling. So early as the beginning of March, Poyer, a parliamentary officer, proclaimed the king at Pembroke, of which he was governor; he was joined by Powel and Laugherne, two disbanded officers, and many of their men; the royalists took up arms, and the rising spread so rapidly in North and South Wales, that Cromwell was at length obliged to march for its suppression, and was detained six weeks by the obstinate defence of Pembroke. The London apprentices came to blows with the troops of Fairfax himself, and in several important towns tumults raised in the name of "God and the king," were with difficulty suppressed by the constituted authorities. Six men-of-war in the river resisted their officers, and sailed for the Hague to put themselves under the command of the duke of York, who had lately, by his father's direction, made his escape from St. James's. The men of Kent rose in arms, but being engaged by Fairfax in the streets of Maidstone were suppressed with great bloodshed. Lord Goring, at the head of another body, advanced to Blackheath and desired entrance into the City, where he expected to be joined by a party; but baffled by the vigilance of Skippon, he threw himself into Colchester, whither lord Capel and sir Charles Lucas also repaired with some levies, and by an obstinate defence held the army of Fairfax employed whilst the Scotch were

upon their advance. In many parts there was open recruiting for the king; and Langdale seized Berwick, and Musgrave Carlisle, to assist the entrance of the Scotch.

In the midst of these efforts of the cavaliers, Hammond, at the end of May, announced to the parliament that the king had nearly succeeded in making his escape. Lilly, who mingled in many affairs besides astrological predictions, supplies us with some rather curious particulars on this subject. The project, he says, was, that the king, on liberating himself from his prison, should head the insurgents in Kent, and thence march to London, where thousands would have joined him. The lady Whorewood, who had before, by the king's consent, consulted him where he might be safely concealed when he withdrew from Hampton-court, came to inform Lilly of this design likewise; and he procured for him a saw to divide iron bars, and some aqua-fortis. "His majesty," he continues, "in a small time did his work; the bars gave liberty for him to go out; he was out with his body till he came to his breast; but then, his heart failing, he proceeded no further: when this was discovered, as soon after it was, he was narrowly looked after, and no opportunity after could be devised to enlarge him."

The astrologer goes on to mention, that on the ensuing treaty of Newport, the same lady again applied to him "from the king, or by his consent, to be directed," and that "after perusal of his figure," he told her the commissioners would be there by such

a day, and elected a day and hour for receiving them and their propositions[a].

During this renewal of the war, and the march of troops to different quarters for its suppression, by which London was liberated from the immediate control of the army, Hollis and his presbyterians resumed their ascendency in the house of commons; and the votes against further addresses to the king were withdrawn. But even this party still retained its jealousy of Charles, and required his assent to certain bills resembling those last offered to him, as preliminaries to a fresh treaty. The house of lords, on the other hand, believing the interests of their order inseparably connected with the restoration of regal power, contended for the admission of the king to a personal treaty without previous stipulations; and in disputes on this point between the two houses, an important month, that of June 1648, was consumed.

Colchester, Pembroke, and Pontefract still held out, but the English royalists had been suppressed in all other places, when on July the 8th Hamilton crossed the borders at the head of about fifteen thousand men. He was followed by Monro with a separate body of three thousand staunch presbyterians and experienced soldiers, drawn from the Scotch garrisons in Ireland; whilst sir Marmaduke Langdale marched independently at the head of four thousand zealous cavaliers; a division which indi-

[a] Lilly's *Life and Times*, p. 60 et seq.

cated to every eye the vanity of this attempt to unite heart and hand, in one and the same enterprise, the partizans of Charles and the liegemen of presbytery. The queen, with her incurable hostility to Hamilton, had refused him supplies of money and ammunition from the continent, and, what he earnestly desired, the presence of the prince of Wales. Obstructed by the jealousies of all parties, afraid even to issue a declaration which must have committed him with one or other, Hamilton, who was also deficient in real ability whether in politics or in war, occupied six weeks in a march of about eighty miles to Preston in Lancashire. Here Cromwell, by a forced march from Pembroke, came up with him, and on August the 18th gave him a total defeat with very inferior forces. The English cavaliers fought with desperation; the Scotch seem to have dispersed almost without a blow. Monro's division only, and some stragglers, regained their native country; the rest surrendered or fell into the hands of the country people. Hamilton yielded himself a prisoner at Uttoxeter; the gallant sir Marmaduke Langdale, after the disbanding of his followers, was taken in disguise at Nottingham.

The earl of Holland, who from some view doubtless of his private interest had accepted a general's commission from the king, had put himself at the head of five hundred horse, and marching out of London to Kingston, invited the parliament and City to join him in bringing about a settlement of the nation. But being surprised, he fled in haste with a handful

of followers to St. Neots, where he was compelled to surrender. The parliament at the beginning of these attempts to renew the civil war, had denounced the punishment of traitors against all who should take part in them, and under that ordinance both the subtle Hamilton and the unprincipled Holland lost their heads soon after the condemnation and death of the king.

On the news of the defeat and dispersion of the Scotch, the gallant defenders of Colchester, now reduced to extremity, offered to surrender. They were answered, that quarter would be given to the private soldiers, but that the officers, being proclaimed traitors, must yield at discretion. They did so; and two victims, sir George Lisle and sir Charles Lucas, both brave men and eminent commanders, were selected from the whole number by the council of war. They met death with heroism, and the reputation of Fairfax suffered by this act of rigor.

The queen had destined the ships which had come over, to be commanded by Jermyn, under the name of the duke of York; but the prince of Wales, instigated by some who entertained a profound jealousy of this favorite, who was notoriously an instrument of the French court, disconcerted the project, by embarking in person with prince Rupert and others of his council, to take the command, and sending back his brother to the Hague[a]. For six weeks

[a] *Hist. Rebellion*, vi. p. 33 et seq.

afterwards he continued in the Downs, awaiting the success of the Scotch expedition, and carrying on negotiations, or intrigues, with the London citizens and the parliament. There can be no doubt that with such a fleet, to which the parliament had not immediately any force to oppose, nothing would have been easier than to have proceeded off the Isle of Wight and liberated the king; but "it cannot be imagined," says Clarendon, "how wonderfully fearful some persons in France were that he should have made his escape, and the dread they had of his coming thither." The attempt therefore was not made; and even after the unfortunate captive had expressly urged it by a private message, the sailors were allowed to carry their point of steering in another direction to offer battle to the main fleet under Warwick. This commander however,—the brother of Holland, and in the secret, as it was believed, of his engagements,—contrived to avoid a collision till want of provisions compelled the prince to return to the coast of Holland, which he did at the end of the month of August, without even an ostensible effort at the rescue of his father from present captivity and the obvious hazard of worse to follow.

By this time the two houses of parliament, pressed by the impending return of the army and its leaders in triumph, had made up their own difference, and according to the proposal of the peers, the king was liberated on his parole from Carisbrook, and lodged, —together with his servants, chaplains, several bi-

shops, and certain of his councillors whose attendance was permitted,—in the neighbouring town of Newport, in order to entering upon a free treaty with commissioners from the parliament. This deputation, consisting of five lords and ten commoners, arrived on September the 1st, and the negotiations commenced.

Terms more favorable that those which, before the unsuccessful issue of the late attempt for his restoration by force of arms, Charles had rejected, could not now be looked for. The commissioners were bound to make no abatement on any point from the articles proposed to him at Hampton-court. Still the king was neither to be entreated nor warned from his fixed habit of debating the ground inch by inch. In place of the articles to which he objected, he proposed others; and to these, when rejected on a reference to the parliament, he still substituted new expedients, or fresh modifications. On four articles he continued inflexible; he would only suspend for three years, not abolish, the episcopal function,—he would not consent to sell, but only to lease for a term of years the bishops' lands,—he insisted that none of his adherents should be excepted from composition,—and until, as he said, his conscience was satisfied, he would neither take the covenant himself nor impose it on others.

These objections on the part of Charles bear so much the aspect of genuine scruples of honor and conscience, that in contemplating the defective judge-

ment of a prince who could have imagined concessions like these too great to be made to his own safety and a nation's peace, every other sentiment would be swallowed up in pity, did we not discern through the whole, evidences of his usual disingenuousness and double dealing.

On October the 24th, after giving his assent to the proposition vesting in parliament the military power, he wrote thus to sir William Hopkins, a gentleman in the Isle of Wight with whom he carried on a correspondence respecting the means of his deliverance: "To deal freely with you, the great concession I made this day was merely in order to my escape, of which if I had not hope, I would not have done it. For then I could have returned to my strait prison without reluctancy; but now I confess it would break my heart, having done that which only an escape can justify[a]."

He had also agreed to an act declaring void the cessation and all other articles or treaties of peace concluded with the Irish insurgents without the consent of the two houses; but his hopes being revived by the defection of lord Inchiquin from the parliament, at whose instance Ormond had gone from France to resume the office of lord-lieutenant, he on the next day, October the 10th, addressed a private letter to the latter nobleman with the following directions: First, to obey all the queen's com-

[a] Wagstaff's *Vindication*, Append. p. 161.

mands,—then, not to obey any public command of his own, until he should send him word that he was free from restraint,—lastly, not to be startled at his great concessions concerning Ireland, "for they will come to nothing." In a subsequent letter, written in confirmation of the first, there was this passage: "..... And though you will hear, that this treaty is near, or at least most likely to be concluded, yet believe it not; but pursue the way you are in with all possible vigor. Deliver also that my command to all your friends, but not in a public way, because otherwise it may be inconvenient to me, and particularly to Inchiquin." These letters were unknown to the English parliament; but having discovered from one of Ormond's that he had arrived in Ireland with powers to treat with the insurgents, the commissioners, on November the 1st, desired his majesty's public declaration against any such power, and against the proceedings of lord Ormond in Ireland. To this Charles returned for answer, that he had not transacted any affairs concerning Ireland, excepting with the commissioners themselves, "since the first votes passed for the treaty:" (August the 3rd). After some evasions he however consented at length to write a public letter to Ormond, requiring him to desist, on account of his present hopes of "a blessed peace," from any further prosecution of those proceedings of which the parliament had complained. But the marquis, in pursuance of his private directions, went on notwithstanding to complete a treaty by which all that

they had demanded was conceded to the Roman catholics in Ireland[a].

A letter from Hammond to the parliament, dated November the 7th, contains the following characteristic trait of the king. "I having had intimation of a question or doubt, whether, guards being kept on the king, his parole were not thereby made void, asked him before the commissioners if he made any such question. He, seeming somewhat surprised, desired time to consider, professing not to have thought of it before. But I, perceiving the danger of such a reserve, pressed him with great earnestness, telling him that otherwise his parole signified nothing; and desired his positive answer. His majesty avoided it four or five times. At length, upon my more importunity, he concluded himself to be obliged by his parole, if the sentinels were taken away; which I then promised him before the commissioners should be done. And accordingly it was observed[b]." After this, however, Charles refused the most urgent entreaties of some about him to concur in a plan of escape which they represented as practicable and safe.

It was with dismay, added to grief, that the parliament received from the king an answer which they were compelled to vote unsatisfactory. Both houses were fully aware that nothing but a conjunction with him could enable them to resist the

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[a] Birch's *Inquiry*, p. 263 et seq.

[b] *Journal of Lords*, Nov. 16th.

urgency of the army, who, elated with victory, loudly claimed what they regarded as its most precious fruits:—The establishment of a government essentially, if not professedly, republican:—The abolition of tithes and episcopacy, with the recognition of entire liberty of conscience and of the equality of all Christian sects:—and, lastly, the execution of "justice" upon "the capital and grand author of all the troubles and woes which the kingdom had endured." As a last hope, successive resolutions were passed, by which twenty days were added to the forty to which the treaty was originally limited; its duration prolonged to November the 27th.

All the strongest motives for compliance with the terms proposed to him, which hope or fear could afford,—the menaces of foes, the entreaties of friends, the representations of the parliament, who clearly perceived that without entire concession on his part it would exceed their utmost power to save him,—were now arrayed against the constitutional obstinacy and cherished prejudices of Charles. So urged, so warned, so entreated,—at the last day, the last hour, allowed for deliberation,—he *almost* yielded. He consented to refer the compositions to be paid by his adherents to the mercy of parliament, and to suffer seven of them to be brought to trial,—but on the express condition that they should be allowed the benefit of the ancient laws. Bishops' functions he would suspend, and vest their lands in the crown till religion should be settled by the joint consent of king and parliament; but not abolish the

order, or confiscate its property in perpetuity. Whether an unreserved assent to all that was required of him would now have preserved the king from destruction, is more than doubtful;—this modified surrender was quite in vain; whilst the reluctance, the compunction, with which he submitted to it are proved by some striking anecdotes. "About the latter end of the treaty," relates Warwick, who was in attendance on him, "finding it was like to be ineffectual, 'I wish,' says he, 'I had consulted nobody but my own self; for then, where in honor or conscience I could not have complied, I could have early been positive: for with Job I would willinglier have chosen misery than sin.'" Another time, discoursing with the same person on the negotiations then in progress, he said, "That he should be like a captain that had defended a place well, and his superiors not being able to relieve him, he had leave to surrender it; but he replied, 'Though they cannot relieve me in the time I demand it, let them relieve me when they can; else I will hold it out till I make some stone in this building my tombstone.' And so will I do," says he, "by the church of England[a]."

Hammond, evidently a man of honor, disappointed his patrons by an unexpected refusal to concur in a design which was now intimated to him on the part of the council of officers, of removing the king from the Isle of Wight. He had been entrusted by the parliament, he said, with the custody

[a] Warwick's *Memoirs*, pp. 326, 327.

of the royal person, and held himself bound in honor to be faithful to that trust. To solve the difficulty, a letter was addressed to him by Fairfax, requiring his immediate attendance at head-quarters, in consequence of which he quitted Carisbrook on November the 27th. The commissioners departed on the following day, and the king with well-grounded alarm found himself transferred to the safe-keeping of colonel Ewer, a zealous republican, deputed to the command of the Isle of Wight in the absence of the governor.

Three days after arrived at Newport a party of horse headed by a lieutenant-colonel Cobbet, who entering the king's presence with abruptness, acquainted him that he had orders to remove him from Newport. Charles, with some emotion, demanded to what place he was to be carried? Cobbet would only answer, that it was out of the island; he likewise refused, but with civility, the king's demand to see his orders. The noblemen, bishops, and household officers who were still in attendance on their master, witnessed the incident with dismay; and their parting with him when he had entered his coach, attended only by Herbert and two more gentlemen, and the few servants whom he had been permitted to select, was a scene of heartfelt grief. "No remedy appearing," says Herbert, they "approached to kiss the king's hand, and to pour forth their supplications to Almighty God to safeguard and comfort his majesty in that his disconsolate condition. His majesty, who at other times was cheer-

ful in parting from his friends, showed sorrow in his heart by the sadness of his countenance."

He was conveyed to Hurst castle, a solitary fortress, strongly situated on a neck of land which juts out from the Hampshire coast towards the Isle of Wight, and well adapted to baffle all attempts for his liberation. By the testimony of Herbert, the captain, though a person of stern exterior, was full of civility to his majesty, both in language and behaviour, and courteous to his attendants on all occasions; "nor," he adds, "was his disposition rugged toward such as in loyalty and love came to see the king, and to pray for him; as sundry out of Hampshire did, and the neighbouring counties."

CHAPTER XXXI.

1648—1649.

Struggle of parties.—Vote carried by the presbyterians that the king's concessions are a ground of treaty.—Resolution of the army.—Return of Cromwell from Scotland.—Expulsion of members from the house of commons.—Removal of the king from Hurst.—Colonel Harrison and the king.—Plan for his escape from Bagshot, which fails.—He arrives at Windsor.—Ceremonies to him ordered to be discontinued.—A committee appointed to draw up a charge against him, and an ordinance for his trial.—It is rejected by the lords.—Sanguine views taken by the king of his situation.—The commons resolve to proceed in the trial without the lords.—Constitution of the high court of justice.—Account of the king's trial.—Sentence pronounced against him.—Remarks on his refusal to plead.—Indifference of foreign princes to his fate.—Steps taken by the prince.—Letter of the queen.—Behaviour of the king.—His parting with his children.—Particulars of his last hours.—His speech on the scaffold.—Death and funeral.—Concluding remarks.—Icon Basilike.

WHILST Charles was thus immured and safely guarded, a crisis of the most fearful nature, decisive of his and the nation's fate, was agitating the metropolis. Immediately on the return of the commissioners from Newport, they were summoned to report to both houses the state of the negotiations; and after a most obstinate debate, which lasted through the night, Hollis and his party carried it by a majority of a hundred and twenty-nine voices to eighty-three, that the king's answers to the pro-

positions were a ground for them to proceed upon in settling the peace of the country. The next step, according to the previous agreement, should have been to recall his majesty in all freedom and honor to his capital, and to have permitted likewise the entrance of all the cavaliers without distinction. After this, which the royalists would naturally have regarded as an absolute victory, it could not possibly be doubted that Charles would have revoked all his concessions, that his followers would have proceeded to take the sanguinary vengeance which they already threatened, and that the most frightful scenes of confusion and anarchy must have ensued; in which the presbyterians themselves would not have been the last to suffer. The victorious army which daily poured its bands into the capital from every side, was resolute not to permit this mischief to the cause and to themselves,—this triumph to their vanquished enemies.

Cromwell had by this time returned from Edinburgh, whither he had led his hardy veterans after the rout of Hamilton and of the cavaliers, and where his presence had given an irresistible superiority to the party of Argyle—the commonwealth's men, or the independents, as they might almost be called, of Scotland. On his arrival, Fairfax and the other members of the council of officers seem to have dismissed all scruples; the agitators and private soldiers required, in their exasperation against their ancient masters the presbyterians, the bridle rather than the spur, and measures were quickly taken.

On the morning of December the 6th, two regiments were set as a guard upon the parliament-house, and soldiers were introduced into the lobby itself of the house of commons. Colonel Pride stood at the door with a list in his hand, and, assisted by lord Grey of Groby, arrested forty-one members as they attempted to enter. But a spirit superior to intimidation survived in the remainder of the house, where the presbyterians still predominated; and a committee was immediately deputed to require of Fairfax the restitution of the intercepted members. He replied, that the demands of the army must first be complied with,—demands which went to the absolute exclusion of their opponents from parliament. Force was again applied, many more members were excluded, others withdrew.

The house adjourned on the 12th of the month, and never reassembled but under the absolute control of the army, and in that mutilated form which obtained for it the opprobrious designation of the Rump, and in which it had certainly no claim to be respected as the representative of the English people. Cromwell now assumed a kind of dictatorship; he had matured his own plan for what was called the settlement of the nation, had secured to himself the requisite co-operators, and was little disposed to trust the fickleness of fortune with needless delays.

It was about a fortnight after his removal to Hurst castle that the quick ear of the royal captive was startled, at dead of night, with the rattle of the descending drawbridge and the tramp of entering

horsemen, followed by deep silence. Before dawn, he summoned Herbert to his bedside, and bade him "learn the matter," who brought him news that he was told colonel Harrison was arrived, and that his errand would soon be known; but that he had been warned to ask no further for the present. The king, in manifest trepidation, bade Herbert wait in the next room, and went himself to his devotions, which he prolonged for nearly an hour; then, calling in his attendant, told him with emotion that Harrison was the person of whom he had been warned by letter during the treaty of Newport as designing to assassinate him; that complaint of the matter had been made to the commissioners, but he knew not what answer the accused had given to the charge. "I trust," he added, "in God who is my helper, but I would not be surprised; this is a place fit for such a purpose. I trust to your care, go again and make further inquiry." Herbert returned the second time with news that the business of Harrison was to remove him to Windsor castle within three days at the furthest. The king received this announcement as a reprieve. The dreaded officer still kept himself out of his sight.

On the morrow Colonel Cobbet, who then guarded him, informed his majesty that he had orders for his immediate removal, and with great alacrity he "bade solitary Hurst adieu."

A party of horse guarded his march to the entrance of Farnham, where another troop of cavalry appeared, drawn up in good order, past which the

king rode, as it was destined to bring up the rear. "In the head of it was the captain gallantly mounted and armed; a velvet montier was on his head, a new buff coat upon his back, and a crimson silk scarf about his waist richly fringed; who as the king passed by with an easy pace, as delighted to see men well horsed and armed,—gave the king a bow with his head all *a-soldade*, which his majesty requited." Learning that this was Harrison himself, the king fixed upon him a gaze so steady as to abash him, and then observed to Herbert that he looked like a soldier, and that his aspect was so good, that having some judgement in faces, he should not have harbored that ill opinion of him, if he had observed him so well before. The same evening, having reached the house which was to lodge him for the night, the king beckoned Harrison to approach, "which he did," says Herbert, "with due reverence," and taking him by the arm, drew him aside to a window, where they discoursed together for half an hour or more, and the king reminded him of the information which he had received respecting his design of assassinating him; to which Harrison replied,—"That what was so reported of him was not true; what he had said, he might repeat;—'That the law was equally obliging to great and small, and that justice had no respect to persons;'—or words to that purpose;—which his majesty," adds Herbert,—"finding affectedly spoken, and to no good end, he left off further communication with him, and went to supper, being all the time very plea-

sant." It is evident that the idea that his subjects would dare to bring him to any form of public trial had as yet found no entrance into the imagination of Charles; secret murder was the only violence he apprehended.

The king expressed a wish to visit his little park of Bagshot on his way, and to dine at the lodge, occupied by lord Newburgh, and his wife, that lady Aubigny, who had acted so conspicuous a part in the plot of Waller and Tompkins. The real motive of this desire, was a plan of escape concerted for him by this noble pair, with whom he had found means to keep up an uninterrupted correspondence. On pretence of the lameness of his own horse, he was to be mounted at his departure on one of unrivalled swiftness, belonging to his lordship, when distancing his escort, through the bye tracts of the forest, which he knew so well, he was to convey himself to a place where the first of a line of relays awaited him. But accident, conspiring with the unremitting vigilance of Harrison, disconcerted this last attempt of loyal attachment for his preservation.

By easy journeys Charles reached Windsor on December the 23rd. Four days after, the council of war, which had assumed the direction of all matters relative to the captive prince, gave orders, "that nothing be done upon the knee, and that all ceremonies of state to the king be left off[a]." The governor of the castle treated him nevertheless with great civility;

[a] Rushworth, vol. vii. p. 1376.

nor did the soldiers there, by the testimony of Herbert, give offence in language or behaviour either to himself or to any who served him.

Meantime the army were urging on the parliamentary proceedings with indefatigable and unhesitating zeal. On the day of his arrival at Windsor, the house of commons appointed a committee of thirty-eight "to consider of drawing up a charge against the king, and all other delinquents that may be thought fit to bring to condign punishment." By this body an ordinance was prepared for attainting his majesty of high-treason and trying him by commissioners, which passed the house on January the 1st. The charge against him was in substance thus: "That Charles Stuart hath acted contrary to his trust, in departing from his parliament, setting up his standard, and making a war against them, and thereby been the occasion of much bloodshed and misery to the people whom he was set over for good: That he gave commissions to Irish rebels, and since was the occasion of a second war, besides what he has done contrary to the liberties of the subject, and tending to the destruction of the fundamental laws and liberties of this kingdom[a]."

In the ordinance for erecting a high court of justice for his trial by a hundred and fifty commissioners therein named, or any twenty of them, the same offences were imputed to him, but at greater length and with more asperity of language. A resolution

[a] Rushworth, vii. p. 1376.

likewise passed, That by the fundamental laws of England, it is treason for the king to levy war against the parliament and kingdom;—and with this accompaniment the ordinance was sent to the lords for their concurrence.

Twelve peers assembled on this momentous occasion,—seven being the greatest number that had yet appeared since the violence put upon the house of commons; and by this courageous remnant of an upper house, the ordinance was rejected without a division; after which they adjourned for a week. The earl of Leicester writes in his Journal, that on the same day, January the 2nd, came the following report from Windsor: "That the king seems to be as merry as usual, and saith that he fears none; he makes the business talked on, for questioning him, a jest; and he saith that he hath yet three games to play, the least of which gives him hope of regaining all. Those that will, (and accordingly some do,) serve the king on their knees. . . . . Sir John Temple," adds this nobleman, "in a letter of the third of January, writes; 'They go on resolvedly to bring the king to justice; the ordinance is now passed, the commissioners named; and though the lords refuse to join, yet without question they will go on, and have made sure of twenty persons who are to be of the quorum, that will proceed to the trial though all the rest give out. The king yet takes no notice that I can hear of their proceedings, gave order very lately for sowing the seed of some Spanish melons which he would have set at Wimbledon. He hath

a strange conceit of my lord Ormond's working for him in Ireland; he hangs still upon that twig, and by the inquiries he made after his and Inchiquin's conjunction, I see he will not be beaten off it[a].'"

How soon this infatuation on the part of Charles yielded to the stern evidence of facts, we do not learn;—in the proceedings of his adversaries there was neither retractation nor pause. On January the 4th, "observed" as being the anniversary of the king's attempted seizure of the five members in the house of commons, that assembly caused the ordinance for the trial of "Charles Stuart" to be reported with some amendments; and then, "in respect the house of lords had rejected it," turned the house into a grand committee, to consider of their own power. They finally passed the resolutions,—That the people, under God, are the original of all just power;—That the commons house, being chosen by, and representing the people, have the supreme authority of the nation;—also, "That whatsoever is enacted and declared law by the commons of England assembled in parliament, hath the force of law, and all the people of this nation are concluded thereby, although the consent and concurrence of the king and house of peers be not had thereunto[b]."

The next step was, to cause proclamation to be made by a herald in Westminster Hall and in several parts of London, for all persons who had any charge

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[a] *Sidney Papers*, by Blencowe, p. 47.

[b] Rushworth, vii. p. 1383.

to make against the king, to bring it in. These and other preliminaries being settled, on January the 19th Charles was brought from Windsor to St. James's, where he lodged that night; and on the following morning, after a meeting of the commissioners in the Painted Chamber, the trial commenced in Westminster Hall.

In the appointment of the court by whom this unprecedented cause was to be tried, pains had been taken by the council of officers who had seized the helm of state, to render it as much as possible a representation of the different ranks and classes of society concerned in the decision. Besides all the leading members of parliament of the independent party, the lord-general Fairfax, lieutenant-general Cromwell, major-general Skippon, commissary-general Ireton, and all the colonels of the army, the original list comprised the two chief justices and the chief baron, six peers, several barristers, five aldermen of London, and many baronets and knights, representing the country party or landed interest. As was to be expected, many of these persons, from various motives and considerations, public or private, prudential or conscientious, declined to take any share in the proceedings. The names of the six peers and the three judges were omitted after the house of lords had refused its concurrence in the ordinance. Sir Henry Vane, St. John, and Algernon Sidney, who wished for the deposition of the king and the establishment of a commonwealth, but were averse to depriving

him of life, absented themselves, or refused to be nominated. The number of commissioners finally appointed was a hundred and thirty-five, but of these less than eighty consented to take their seats. Serjeant Bradshaw, an able and accomplished lawyer, of courageous character and firm deportment, acted as president, with two lawyers, Lisle and Say, for his assessors.

The court being assembled, the king was brought in a sedan chair to the bar, where a velvet chair was set for him. "After a stern looking upon the court, and the people in the galleries on each side of him, he places himself, not at all moving his hat, or otherwise showing the least respect to the court; but presently rises up again and turns about, looking downwards upon the guards placed on the left side, and on the multitude of spectators on the right. After silence proclaimed, the ordinance for the king's trial was read, and the list of the commissioners; and nearly eighty answered to their names. The king being again seated, the lord-president rose and said: "Charles Stuart king of England: The commons of England, being deeply sensible of the calamities that have been brought upon this nation, which are fixed upon you as the principal author of them, have resolved to make inquisition for blood; and according to that debt and duty they owe to justice, to God, the kingdom and themselves, they have resolved to bring you to trial and judgement, and for that purpose have constituted this high court of justice before which you are brought."

This said, Mr. Cook, attorney for the commonwealth, offered to speak; but the king having a staff in his hand, held it up, and laid it upon the said Mr. Cook's shoulder two or three times, bidding him "Hold!" Nevertheless the lord-president ordering him to go on, he said, "My lord, I am come to charge Charles Stuart king of England, in the name of the commons of England, with treason and high misdemeanors; I desire the said charge may be read." The lord-president having ordered the clerk to read it accordingly, the king said, "Hold!" But, ordered by the president, the clerk began to read, and the prisoner sat down again, "looking sometimes on the high court, sometimes up to the galleries; and having risen again and turned about to behold the guards and spectators, sat down again, looking very sternly, and with a countenance not at all moved till these words, viz. 'Charles Stuart to be a tyrant and traitor, &c.' were read; at which he laughed as he sat, in the face of the court."

The charge read, the lord-president acquainted the king that the court expected his answer. The king required to know by what authority he was called hither. "I was lately," he said, "in the Isle of Wight, where I treated with a number of honorable lords and gentlemen, and treated honorably and uprightly; I cannot say but they did very nobly with me; we were upon a conclusion of a treaty. Now I would know by what authority,—I mean lawful, (there are many unlawful authorities

in the world, thieves and robbers by the highways,) but I would know by what authority I was brought thence and carried from place to place, and I know not what; and when I know what lawful authority, I shall answer. Remember, I am your king, your lawful king, and what sins you bring upon your heads, and the judgement of God upon this land: Think well upon it, I say, think well upon it, before you go further from one sin to a greater; therefore let me know by what lawful authority I am seated here, and I shall not be unwilling to answer. In the mean time I shall not betray my trust; I have a trust committed to me by God, by old and lawful descent; I will not betray it, to answer to a new unlawful authority; therefore resolve me that, and you shall hear more of me." The lord-president replied, that he was required in the name of the people of England, of whom he was "elected king," to answer them.—*King*. "No, sir, I deny that; England was never an elective kingdom, but an hereditary kingdom for near these thousand years; therefore let me know by what authority I am called hither. I do stand more for the liberty of my people than any here that come to be my pretended judges."—*President*. "Sir, how really you have managed your trust is well known. Your way of answer is to interrogate the court, which beseems you not in this condition. You have been told of it twice or thrice."

The king persisting in the same strain, and threatening the court with the divine vengeance

for exercising an usurped authority, was told by the president that he had "propounded a question and been answered;" seeing he would not answer, the court would consider how to proceed; they were satisfied with their own authority, which was "God's and the kingdom's:" and after a little more altercation, they adjourned. It is mentioned as ominous, that as the charge was reading against the king, the head of his staff fell off, which he wondered at; and seeing none to take it up, stooped for it himself. "As the king went away, facing the court, he said, 'I do not fear *that*,' (meaning the sword.) The people in the hall as he went down cried out, some God save the king, and most for Justice."

On Monday, January the 22nd, the court resumed. There was a shout raised on the king's entrance, and the court ordered such as made a disturbance to be taken into custody. The solicitor-general moved, that the prisoner should now be directed to make a positive answer to the charge; which if he should refuse, the matter should be taken *pro confesso*. The president then recalled to the king the former proceedings, repeated that the court was satisfied with its own authority, which it did "avow to the whole world," and that now, without loss of time, he must answer. The king returning to his former denials of the competency of the court, was interrupted; but again he said, "Sir, by your favor, I do not know the forms of law; I do know law and reason, though I am not a lawyer professed; but I know as much of law as any gentleman in England,

and, under favor, I plead for the liberties of the people of England more than you do,—as thus informed I cannot yield to it." The president pleaded the vote of the house of commons as the sense of the kingdom, and told the king that his contempt, if persisted in, would be recorded. "I do not know," he answered, "how a king can be a delinquent," and added, that all men might put in demurrers. The president replied, that demurrers to the jurisdiction of the court would not be allowed, or would be overruled; the court sat by authority of the commons of England, "and all your predecessors and you are responsible to them."—*King*. "I deny that; show me one precedent." The lord-president admonished him not to interrupt, while the court was speaking to him; it would not be allowed; his demurrer was overruled; they affirmed their own jurisdiction.—*King*. "I say, sir, by your favor, that the commons of England was never a court of judicature: I would know how they came to be so." He was not permitted to proceed; and being again admonished to answer, and persisting that he would first know their authority, the president ordered him to be taken back again.—*King*. "I do require that I may give in my reasons why I do not answer, and give me time for that."—*President*. "Sir, 'tis not for prisoners to require."—*King*. "Prisoners! sir, I am not an ordinary prisoner."—*President*. "The court hath considered of their jurisdiction, and they have already affirmed their jurisdiction. If you will not answer, we shall give order to record your default."—*King*. "You never heard my reason yet."

—*President.* "Sir, your reasons are not to be heard against the highest jurisdiction."—*King.* "Show me that jurisdiction where reason is not to be heard." —*President.* "Sir, we show it you here, the commons of England; and the next time you are brought you will know more of the pleasure of the court, and, it may be, their final determination."—*King.* "Show me where ever the house of commons was a court of judicature of that kind."—*President.* "Serjeant, take away the prisoner."—*King.* "Well, sir, remember that the king is not suffered to give in his reason for the liberty and freedom of all his subjects."—*President.* "Sir, you are not to have a liberty to use this long. How great a friend you have been to the laws and liberties of the people, let all England and the world judge."—*King.* "Sir, under favor, it was for the liberty, freedom and laws of the subject, that ever I took—defended myself with, arms; I never took up arms against the people, but for the laws."—*President.* "The commands of the court must be obeyed. No answer will be given to the charge."—*King.* "Well, sir!"

He was guarded back to sir Robert Cotton's house.

On the next day, the king being again brought up, the attorney-general craved judgement upon him as contumacious, saying, that the innocent blood shed cried for justice. The king being required to answer, repeated his objections to the authority of the court. For the charge, he said, he valued it "not a rush;" it was the liberty of the people he stood for;—he would not violate the trust

they said was reposed in him, by owning a new court of judicature; but for this, he would not object to giving satisfaction to the people of England of the clearness of his proceeding.—*President.* "Sir, this is the third time that you have publicly disowned this court and put an affront upon it; how far you have preserved the privileges of the people, your actions have spoke it; but truly, sir, men's intentions ought to be known by their actions; you have written your meaning in bloody characters throughout the whole kingdom;—but, sir, you understand the pleasure of the court. Clerk, record the default; and you, that took charge of the prisoner, take him back again."—*King.* "I will only say this one word more to you; if it were only my own particular, I would not say any more to interrupt you."—*President.* "Sir, you have heard the pleasure of the court, and you are (notwithstanding you will not understand it,) to find that you are before a court of justice." The court then adjourned to the next day, the 24th, and afterwards to the 27th, during which interval the commissioners sat in the Painted Chamber examining witnesses to the facts of the king's setting up his standard at Nottingham, and appearing in armour at the head of his troops in various places;—proofs with which they judged it necessary to be prepared, in case he should at length be induced to plead to the charge.

On the 27th the trial was resumed, when, the court being called, sixty-eight members besides the president answered to their names. "As the king

comes in, a cry made in the hall for execution, justice, execution." The king pressing repeatedly to be heard, was told that he must first hear the court; and the president, in a prepared speech, set forth the conduct of the king in contumaciously refusing to answer to his charge and denying the jurisdiction of the court, and when overruled in that, still refusing "to submit or answer;" wherefore the court, that they might not be wanting in the trust reposed in them, "nor that any man's wilfulness prevent justice," had taken into consideration the contumacy, and "the confession that in law doth arise upon that contumacy;" also the notoriety of the facts charged upon the prisoner,—and on the whole had considered and agreed upon a sentence. But, as he desired to be first heard, the court did consent to hear him, warning him before of "that he had been minded of at other courts," that he would not be heard against their jurisdiction. "You have offered it," added the president, "formerly, and you have indeed struck at the root, that is, the power and the supreme authority of the commons of England, which this court will not admit a debate of, and which indeed is an irrational thing for them to do, being a court that acts upon authority derived from them, that they should presume to judge upon their superior, from whom there is no appeal." If the king had anything to say in defence of himself in respect of the matter charged, it was announced that the court would hear him.

Charles said, in answer, that if he had not

thought more of the peace of the kingdom and the liberty of the subject than his own life, he should have made a defence, by which he might at least have delayed "an ugly sentence," now, he believed, ready to pass upon him; that now, as "a hasty sentence once past may sooner be repented than recalled," he desired that before the sentence he might be heard in the Painted Chamber before the two houses of parliament. The delay could not hurt, and "therefore," he said, "I do conjure you, as you love that you pretend, I hope it is real, the liberty of the subject and the peace of the kingdom," to take it into consideration. The president answered, that this was in effect but a further declining of the jurisdiction of the court, which he had been limited in before. This the king endeavoured to deny. "Sir," said the president, "you say you do not decline the jurisdiction of the court?" "Not," warily replied the king, "in this that I have said."

The president rejoined, that it was in fact a motion both for delay and for a coordinate jurisdiction, which this court, now prepared to give sentence, was not obliged to grant; yet the commissioners would retire for half an hour to consider of it.

It was however a request which evidently could not safely be conceded by a court erected by an ordinance of the house of commons not only without the concurrence, but in defiance of the dissent of the house of lords; and on the return of the commissioners the prisoner was informed that his pro-

position was inadmissible; that he had too long delayed the court by his contempt and default, and they were unanimously resolved to proceed "to punishment and to judgement."

The king persisted for some time in reiterating his proposition, but was at length put to silence. The president then addressed him in a speech designed to prove to him his own guilt, and the rightfulness and justice of the sentence. He told the king that it plainly appeared he had held very erroneous principles; "for, sir, you have held yourself, and let fall such language, as if you had been nowise subject to the law, or that the law had not been your superior. Sir, the court is very well sensible of it, and I hope so are all the understanding people of England, that the law is your superior, that you ought to have ruled according to the law. . . . I know very well your pretence hath been that you have done so: but, sir, the difference hath been, who shall be the expositors of this law; whether you and your party out of the courts of justice shall take upon them to expound law, or the courts of justice, who are the expounders;—nay, the sovereign and high court of justice, the parliament of England, that are not only the highest expounders, but the sole makers of the law. Sir, for you to set your single judgement and those that adhere unto you, against the high court of justice, that is not law. As the law is your superior, so truly, sir, there is something that is superior to the law, that is indeed the parent or authority of the law, and that is,

the people of England. For as they are those that at the first did choose to themselves this form of government, even for justice' sake, that justice might be administered, that peace might be preserved; so, sir, they gave laws to their governors according to which they should govern; and if these laws should have proved inconvenient, or prejudicial to the public, they had a power in them, and reserved to themselves to alter them as they shall see cause. . . . The end of having kings or any other form of government, is for the enjoyment of justice. Now, sir, if so be that the king will go contrary to the end of his government, he must understand that he is but an officer in trust, and he ought to discharge that trust, and they are to take order for the animadversion and punishment of such an offending governor. This is not law of yesterday, sir, since the time of the division betwixt you and your people, but it is law of old. And we know very well the authorities that do tell us what the law was in that point upon the election of kings, upon the oath that they took unto their people. And if they did not observe it, there were those things called parliaments; the parliaments were they that were to adjudge (the very words of the authority,) the plaints and wrongs done of the king and the queen, or their children; such wrongs especially when the people could have nowhere else any remedy. That hath been the people of England's case; they could not have their remedy anywhere but in parliament.

"Sir, I speak these things the rather to you, be-

cause you were pleased to let fall the other day, that you thought you had as much law as most gentlemen in England. It is very well, sir, and truly it is very fit for the gentlemen of England to understand that law under which they must be governed. And then the Scripture says, 'They that know their master's will and do it not'—What follows? The law is your master, and the acts of parliament." After some remarks on the dignity and antiquity of parliaments, and reproaches against the king on account of his plots for "crushing and confounding" that great bulwark of the people's liberties, which God had been pleased to confound, and to bring him into custody "that he might be responsible to justice," the president adverted to another topic. "Sir, we know very well, that it is a question much on your side pressed, by what precedent we shall proceed. Truly, sir, for precedents, I shall not upon this occasion institute any long discourse; but it is no new thing to cite precedents of almost all nations where the people, when power hath been in their hands, have made bold to call their kings to account, and where the change of government hath been upon occasion of the tyranny and misgovernment of those that have been placed over them." And he proceeded slightly to recall many examples, several foreign, a considerable number Scottish, some English. Having then asserted the existence of a contract, or bargain, between king and people, and mutual obligations, he thus proceeded to comment upon the delinquencies

of the king. "Sir, that that we are now upon, by the command of the highest court, hath been and is, to try and judge you for these great offences of yours. Sir, the charge hath called you tyrant, traitor, a murderer and a public enemy to the commonwealth of England. Sir, it had been well if any of these terms might rightly and justly have been spared; if any one of them at all." The king uttered an interjection of surprise and indignation. The president then affirmed him a *tyrant*, from the arbitrary government he had sought to establish; a *traitor*, as guilty of breach of trust towards his *superior*, the kingdom. "And therefore, sir," he added, "for this breach of trust when you are called to account, you are called to account by your superiors."—A *murderer*, because all the bloody murders acted or committed in the late wars were to be laid to his charge. After which he thus wound up the whole proceeding: "Sir, all that I shall say before the reading of your sentence, it is but this: The court does heartily desire you will seriously think of those evils that you stand guilty of. Sir, you said to us the other day, you wished us to have God before our eyes: truly, sir, I hope all of us have so; that God that we know is a king of kings and lord of lords,—that God with whom there is no respect of persons,—that God that is the avenger of innocent blood. We have that God before us that does bestow a curse upon them that withhold their hands from shedding of blood; which is in the case of guilty malefactors, and that do de-

serve death: That God we have before our eyes. And were it not that the consequence of our duty hath called us to this place and this employment, sir, you should have had no appearance of a court here; but, sir, we must prefer the discharge of our duty unto God and unto the kingdom before any other respect whatsoever; and although at this time many of us, if not all of us, are severely threatened by some of your party what they intend to do, we do here declare that we shall not decline or forbear the doing of our duty in the administration of justice even to you, according to the merit of your offence, although God should permit these men to effect all that bloody design in hand against us." He concluded by urging the example of David's repentance on the king's imitation.

King. "I would desire only one word before you give sentence; and that is, that you would hear me concerning these great imputations that you have laid to my charge."—*President.* "Sir, you must give me now leave to go on, for I am not far from your sentence, and your time is past." Again the king pressed to speak, but was again reminded that he had not owned the court, and "too much liberty and delay had been given him already," and a fresh exhortation to repentance was bestowed upon him. The sentence was now read, and the president affirmed it for "the sentence, judgement, and resolution of the whole court," all the members of which stood up as assenting to it.—*King.* "Will you hear me a word, sir?"—*President.* "Sir, you are not to

be heard after the sentence. No, by your favor, sir. Guard, withdraw your prisoner." The king again attempted to speak, but being again interrupted, said, "*I* am not suffered for to speak; expect what justice other people will have." The court dispersed.

Thus concluded the most memorable, and in all its circumstances the most unprecedented, judicial proceeding on record. It is exceedingly remarkable that no legal advisers were assigned to the king by the court, and that he made no application for such assistance either before or during the trial. We may perhaps infer, that his resolution was fixed from the beginning to make no acknowledgement of the authority of a court so irregularly constituted in every possible respect, and consequently no defence. By this determination he consulted the interests of his reputation for dignity and consistency, and certainly without sacrificing any chances of acquittal. In the preliminary admission that the source of all power is in the people, and the kingly office a trust of which they are entitled to require an account, he would have pronounced his own sentence of condemnation; for the facts charged were of such a nature as to admit of no denial. In his appeal to the two houses alone there was some compromise of his great principle of irresponsibility. It has been supposed that it was his intention to have abdicated before them in favor of his son; but as he failed to take any other means of making

known that purpose, it is probable that the conjecture is erroneous; and that the design of his appeal was no other than to improve to his advantage the dissension already subsisting between the lords and that packed assembly which called itself the house of commons. Delay might still have afforded scope to some efforts in his favor,—so at least his strange faculty of hoping what he desired may have persuaded him. Yet from what quarter should they arise? No domestic party, it was plain, could attempt his release from the iron grasp of armed force which held him; and with respect to foreign aid, it was now his turn to repeat with Strafford in despair, "Put not your trust in princes!" The potentates of Europe, even those most nearly connected by blood or alliance, viewed his fate with silent apathy. No ambassador from any power or state was sent to intercede in his behalf, excepting one from the United Provinces, commissioned by desire of the prince of Wales, who was not heard till the day before the execution of the king's sentence, when he proved himself but a "cold solicitor."

The prince performed the idle ceremony of sending to the parliament a signed *carte blanche* as ransom for his father's life. Henrietta had previously caused a letter to be delivered by the French ambassador to the Speaker, in which she desired that the house of commons would grant her a pass to come to England that she might use her influence with the king to grant all that they desired, or that

at least she might attend upon him in his extremity. But the house would not suffer the letter to be read.

Now first perceiving his death to be inevitable and imminent, Charles commenced his preparations for the event with dignity and composure. Having obtained the attendance of bishop Juxon, he passed the greater part of his last days in the offices of devotion. He declined the offered visit of his nephew the elector Palatine; but requested that his two children remaining in England, the princess Elizabeth, then in her thirteenth year, and the duke of Gloucester, in his ninth, might be brought to take a last farewell of their father. The sorrowful parting, and especially the bitter tears and lamentations of the young princess, moved "those to pity that formerly were hard-hearted[a]." Together with his prayers and blessings, the king distributed to them a few jewels,—all the wealth that was now left him to bestow upon his children.

On the last night, colonel Hacker, who commanded the guard, "would have placed two musqueteers in the king's bedchamber, which his majesty being acquainted with, he made no reply, only gave a sigh;" but by the entreaties of bishop Juxon and of Herbert he was induced to reverse this unfeeling order.

Charles had lodged at St. James's for two or three nights, whilst the scaffold was preparing in front of

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[a] Herbert.

Whitehall. On the fatal morning, about ten o'clock, the king was conducted through the garden of the palace and the park to the spot. In the park several companies of foot soldiers were drawn up, with drums beating and colors flying, who formed a line for the king to pass, and his immediate guard of halberdiers attended him, with some of his own gentlemen before, and some behind, walking bare-headed. Juxon went on the right hand of the king, and colonel Tomlinson, to whose custody he was now confided, on the left, the king conversing with him as they went. On arriving at Whitehall, his majesty passed along the galleries to his own bedchamber, where after a little repose the bishop went to prayer; and this being concluded, the king partook of a little bread and wine. Soon after, Hacker came to the chamber door and gave his last signal; on which the bishop and Herbert weeping, fell on their knees, and the king gave them his hand to kiss. He was conducted with the same attendance as before, through the galleries into the banqueting-house, and thence, by a passage broken in the wall, upon the scaffold. As he passed along, with a cheerful countenance, many, both men and women, crowded in to gaze upon him, and he could hear them praying for him, "the soldiers not rebuking any of them; by their silence and dejected faces seeming afflicted rather than insulting." Having first looked earnestly upon the block, and asked if there were no higher one, the king prepared to speak, addressing himself chiefly to colonel Tomlinson, who stood by his side,

aware, as he said, that he should "be heard of few." His speech was an attempted vindication of his political conduct, in which he thought proper to call to witness that God before whom he must shortly appear, that he "did never intend to encroach upon the privileges" of the two houses of parliament, but that they "began upon" him by laying claim to the militia. He also said, that an unjust sentence which he had suffered to take effect, was now punished by an unjust sentence upon himself. He asserted that he was as much a friend to the liberty and freedom of the people as any one, but that these consisted in having government, and those laws by which their lives and goods might be most their own. To have a share in the government was "nothing pertaining to them, a subject and a sovereign being clean different things." At the suggestion of the bishop, he made a declaration of his adherence to the Church of England as it had been left to him by his father; and thus concluded: "I have a good cause, I have a gracious God, and I will say no more."

He then laid down his head upon the block, and after a few moments spent in prayer, he gave the signal by stretching forth his hands, and it was severed at a single blow. At that awful moment, all other sentiments were lost in grief and horror, and "a dismal universal groan" burst forth from the congregated thousands.

The body was immediately placed in a coffin, and after embalming was removed from Whitehall to

St. James's, where it lay for several days exposed to public view. An order was then granted to Mr. Herbert by a committee of parliament for its interment in St. George's chapel Windsor; and on the following day, February the 7th, the ceremony was privately but decently performed with the attendance of a few gentlemen and servants of the royal household, joined in the chapel by the duke of Richmond, the marquis of Hertford, and the earls of Southampton and Lindsey. Bishop Juxon stood with the Common Prayer-book in his hand, prepared to have read the burial service, but the governor of Windsor castle interposed to forbid the employment of that proscribed ritual.

On the day after the king's death, the Commonwealth was proclaimed, and the prince of Wales declared a traitor.

To present a summary of the character of Charles I. at the conclusion of an extensive work chiefly dedicated to the relation of his words and actions, might be thought to argue a distrust of the reader's discernment. To pronounce any solid judgement, whether moral or political, respecting the sentence executed upon him, would require a discussion of the alternatives which offered themselves to the choice of the party leaders of the time, of the aspects of affairs in their eyes, of their motives and ulterior designs, foreign from the character of this work, and to which the writer feels herself in many ways unequal.

One topic however remains, on which the bio-

grapher of Charles appears called upon to declare an opinion,—the authenticity of the work entitled Icon Basilike, published in the name of the king immediately after his death. On a patient examination of the evidence adduced on both sides, she has no hesitation in stating her entire conviction that Dr. Ganden was, as he affirmed himself to be, the real author of that book, for which he was rewarded by Charles II. with a bishopric; and the composition of which Clarendon, with every facility for ascertaining the truth, has carefully abstained from claiming for the king, whose character it was the express purpose of his History to vindicate and to exalt.

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